Dear Readers,

We are pleased to present you with 'Women in Israel- Betwixt Theory and Reality'. This comprehensive book has been collaboratively produced by The Konrad-Adenauer Foundation and the Israel Women's Network with the purpose of providing an accurate and up to date depiction of the state of women in Israel. The Israel Women's Network (IWN) has been active for over three decades in the promotion of gender equality and women's rights in Israel. Our struggle for promoting and realizing women's rights is conducted through various means including legislation, education and awareness raising. The IWN works in the Knesset, the courts, the education system and with different constituencies, with the purpose of advancing the status, rights and representation of women in Israel. Despite critical progress on women's rights, Israeli reality still presents significant challenges which require a comprehensive response from every woman and man in Israel to ensure we create an equal and just society for everyone.

The comparative analysis of data and trends in this book provide a complex picture of the state of women in Israel. On the one hand, women are clearly more educated than ever before which is mirrored by their participation in the labor market and their professional status. We are also witnessing an increase in the number of women in political roles and public offices, as well as leading businesses. On the other hand, women are still suffering from economic discrimination, especially if they belong to geographically and ethnically marginalized communities, and there is little evidence to suggest violence against women and intimate partner sexual violence is decreasing.

The purpose of this book is to look beyond the data and numbers to analyze what role the state plays in advancing and protecting women's rights. Three decades ago, The IWN pledged to support women's struggle for equal rights through legislation, lobbying, education and campaigning. This book serves this very same purpose. So alongside data and trend analysis, you will find expert commentary and recommendations for action. Each chapter and each topic covered in this book was written by women experts who reflect in their writing a commitment to social justice that has always fueled Israel's citizen sector. The significant contribution of women's organizations to changes in legislation, budget allocation and norms in Israel is strongly reflected in this book and we believe the conclusions and recommendations in each section should be adopted by policy and decision makers at all levels.

Our thanks goes out to Tali Tamir who developed and edited the fact book which this book is based on and to Inbal Vilmovskiy, the chief editor of this book, on her thorough efforts and professional work. Many thanks to Tal Nachum for the graphic design of the book and to Hagit Ya'ari for its production. We would like to thank Varda Mor, member of the IWN board, on her ongoing support and her contribution in developing this book.
A big thank you goes out to all the writers in this book on their expert contributions, on their fact finding missions undertaken to ensure the data in this book accurately reflects the broad and complex state of women in Israel.

Our thank you to The Konrad-Adenauer Foundation, to Mr. Michael Mertes the Foundation Manager in Israel and to Katherine Hirshvitz for their unfailing support and their strategic partnership which has lasted for over two decades.

Reading this book, delving into the data, findings and recommendations for action on advancing women's rights in Israel should be a collaborative effort of both men and women in Israeli society. We are sure that reading this book will not only generate interest, but will create a willingness to forge new partnerships and new modes of action.

Yaffa Vigodessky, Chairman, IWN

Dr. Galit Desheh, CEO, IWN
“All human beings are born free and equal in dignity and rights”. These words – the first sentence of the first article of the United Nations Universal Declaration of Human Rights – put in a nutshell the idea of Human Rights. The Declaration also postulates a “spirit of brotherhood” – in 1948 people were not yet used to what is perceived today as a gender wise correct parlance. We at KAS believe that the status of women in a society mirrors to a great extent the level of democracy achieved in that specific society: More gender equality means a more just, a more enlightened, a more humane society.

As a long-standing partner of IWN, we are very proud to cooperate on important projects that reflect the aims of KAS in the promotion of democracy and equal rights in all spheres of life. Research and surveys on the situation of women in Israel and publications of important statistics such as “Women in Israel 2011: Between Theory and Reality” serve as tools to understand the real situation of women in Israel. This collection of data, presented to the policy makers, should help implement the necessary changes in order to achieve greater gender equality.

IWN’s data book “Women in Israel 2011: Between Theory and Reality” imparts an informative picture of the conditions of women in Israel. It presents and analyzes the positive changes that have taken place in the last years, but also points out the deficiencies, which should be addressed. Raising awareness among policy makers and the general public is the first step towards advancing the status of women and improving the situation.

We wish that this important data book will help promote equal opportunities for women. This will not only be to the benefit of women; it will also help strengthen Israel’s democracy and the inner balance of its society.

Michael Mertes
Resident Representative
Konrad-Adenauer-Stiftung Israel
1. First Chapter: Data, basic terms and women in Israel

Data collection, observations, queries and difficulties

Equality, legislation and rulings in Israel: a feminist perspective

Who defines equality?

2. Second Chapter: Women's health

Introduction: gender, the body and health

Morbidity amongst women: mortality causes, risk factors and death

Health indicators

Life expectancy

Mortality and main causes of death

Health habits: risk factors and prevention

Behavior and life-style

Equality in accessibility for women in Israel to health services

Women with disabilities

Eating disorders

Mental health

Anxiety and mental disorders

Suicidal tendencies

Older women in Israel

Fertility: social and health aspects

Contraceptive methods and fertility treatments

Prenatal care

Egg donation

Surrogacy

Fertility rights
<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>In vitro fertilization treatments in Israel</td>
<td>27</td>
</tr>
<tr>
<td>Pregnancy and giving birth in Israel</td>
<td>28</td>
</tr>
<tr>
<td>Home births in Israel</td>
<td>29</td>
</tr>
<tr>
<td>Maternity leave and benefits</td>
<td>29</td>
</tr>
<tr>
<td>Breastfeeding</td>
<td>30</td>
</tr>
<tr>
<td>Termination of pregnancies</td>
<td>30</td>
</tr>
<tr>
<td>Demographic considerations</td>
<td>31</td>
</tr>
<tr>
<td>The choice of parenting, different families</td>
<td>32</td>
</tr>
<tr>
<td>Abusing the parenting rights of foreign immigrants</td>
<td>34</td>
</tr>
</tbody>
</table>

3. Third Chapter: Education

<table>
<thead>
<tr>
<th>Sub-section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>The education system</td>
<td>35</td>
</tr>
<tr>
<td>Level of education</td>
<td>35</td>
</tr>
<tr>
<td>Education from a gender perspective</td>
<td>36</td>
</tr>
<tr>
<td>The matriculation certificate through a gendered lens</td>
<td>37</td>
</tr>
<tr>
<td>“A good teacher is a teacher for life”</td>
<td>38</td>
</tr>
<tr>
<td>The Unit for Gender and Equality in Education</td>
<td>38</td>
</tr>
<tr>
<td>Higher education</td>
<td>39</td>
</tr>
<tr>
<td>Gender and the entry requirements</td>
<td>40</td>
</tr>
<tr>
<td>The psychometric examination</td>
<td>40</td>
</tr>
<tr>
<td>Women who pursue higher education</td>
<td>40</td>
</tr>
<tr>
<td>University level academic qualifications</td>
<td>41</td>
</tr>
<tr>
<td>The Academic staff</td>
<td>42</td>
</tr>
<tr>
<td>Post-doctorate</td>
<td>43</td>
</tr>
</tbody>
</table>
4. Fourth Chapter: Women Living in Poverty, Poor Women

Definitions and data

Data collection – gender is transparent

Poverty – a matter of definition?

Women in poverty

Poverty and government programs for poverty alleviation

Policy aimed at treating the economic factors of poverty – a gender perspective

Benefits: unemployment

Single parent families and poverty

5. Fifth Chapter: Women's representation – the reality and the ideal

Women in public office

Equal representation

Women in the executive branch

The 2009 election: a female candidate for Prime Minister

Women in The Knesset

Gender legislation

Women in local authorities

Directorates of Government-Owned Corporations

Arab women on government-owned corporations

Directorates of publicly-owned companies

Women in the civil service

Women’s Participation in the Israeli Labor Market

Arab women’s participation in the labor market

The participation of "other" women in the labor market
Female unemployment 58
Working hours and employment types 58
Absence from work 58
Women's status in the workforce 59
Vocation 59
Women in the high tech industry 60
Women in medicine 61
Women employed by employment agencies 61
Women executives 61
Pay and reward 61
The pay gap 61
The pay gap between men and women based on nationality 62
The pay gap based on age, education and geographical location 62
Pension 63
Public debate on the age of retirement 64
Women and the family – working in and out of the home 63
Pregnancy and the labor market 64
Motherhood and the labor market 65
Motherhood, ethnic origin and family size 65
A "family supportive" workplace 66
Child care benefits 67
Female migrant workers 68
Women with disabilities 68
The enforcement mechanisms of the Israel Women's Network 69
Equal Employment Opportunities Commission 69
Women in the Israel Defense Forces 71
Additional Roles for Women in the Army 71
Gendered division of labor 71
Advancement of Women Officers in the Permanent Army 71
Cultural Discrimination: Equal and Respectful Treatment in Daily Life 72
Sexual harassment 73

6. Sixth Chapter: Women in the Media 74
Print Media 74
Interviewing women (news programs, guest shows, entertainment) 74
Women’s representation in popular culture 75
Women as Heroes and Independent Figures 75
Gender identity and the Family 76
Women’s representation and image in advertisements 76
Portrayal of body and mind 76
Representation of Roles (Ambitions, Professions) 76
The Internet 77
Accessibility, usage and content 77
3.4.7.1 Usage and accessibility 77

7. Seventh Chapter: Women's rights over their bodies 79
Forward 79
Violence against women in Israel 79
The scope of violence against women in Israel – official statistics 80
Police data 80
Domestic violence between partners 80
Femicide 81
Sexual offences 81
Ministry of Health Statistics 81
Battered Women’s Shelters 82
Legislation 82
Violence against women in Arab society
Statistics from the Crisis Center in the Arab Community
Halfway housing for at risk Arab girls
Coordinated field work to combat violence against women
Judicial actions - restraining orders
Services of the Ministry of Social Affairs and Social Services
Local and regional centers for the prevention of domestic violence
Special Projects within the Framework of the Crisis Centers
Social Workers in Police Stations
Battered Women Shelters
Economic Assistance for Women in Shelters
Emergency Housing
Halfway Apartments
Shelters for battered girls and young women
Hotline for the prevention of domestic violence and violence against women
Treatment of Violent Men
Housing for Men Removed from their Homes
Sexual Offenses in Israel
Sexual Offenses Treated by the Judicial System
The Association of Rape Crisis Centers in Israel
Statistics for Rape Crisis Centers, 2000-2010
Sexual Harassment in the Workplace
Sexual Offences against Migrant Workers
Treating victims and perpetrators of sexual violence
Treating the victims of sexual violence
Treating sexual offenders in incarceration
<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Treating sexual offenders within the community</td>
<td>91</td>
</tr>
<tr>
<td>Prostitution and Sex Trafficking</td>
<td>92</td>
</tr>
<tr>
<td>The Levinsky Mobile Clinic</td>
<td>92</td>
</tr>
<tr>
<td>Who are the women in the sex trade?</td>
<td>93</td>
</tr>
<tr>
<td>Medical aspects</td>
<td>94</td>
</tr>
<tr>
<td>The &quot;Sal’it&quot; Project: A Therapeutic Support Program</td>
<td>94</td>
</tr>
<tr>
<td>&quot;Damage Control&quot; Track</td>
<td>95</td>
</tr>
<tr>
<td>Tours of prostitution hot spots</td>
<td>95</td>
</tr>
<tr>
<td>National hotline for supporting prostitutes</td>
<td>95</td>
</tr>
<tr>
<td>Emergency apartments</td>
<td>96</td>
</tr>
<tr>
<td>Rehabilitation and treatment track</td>
<td>96</td>
</tr>
<tr>
<td>Employment</td>
<td>96</td>
</tr>
<tr>
<td>Day centers</td>
<td>97</td>
</tr>
<tr>
<td>National Rehabilitation hostel</td>
<td>97</td>
</tr>
<tr>
<td>Girls and young women involved in prostitution: characteristics and existing interventions</td>
<td>98</td>
</tr>
<tr>
<td>The spectrum of prostitution among young girls</td>
<td>98</td>
</tr>
<tr>
<td>Can the scale of prostitution amongst girls and young women be accurately estimated?</td>
<td>99</td>
</tr>
<tr>
<td>8. Eighth Chapter: Intimate relationships and family</td>
<td>100</td>
</tr>
<tr>
<td>Foreword</td>
<td>100</td>
</tr>
<tr>
<td>Marriage, alternative options, divorce: Jewish women’s choices in Israel</td>
<td>101</td>
</tr>
<tr>
<td>Statistics on families, marriage and divorce in Israel</td>
<td>101</td>
</tr>
<tr>
<td>Marriage and Divorce in Israel under the Religious Law</td>
<td>103</td>
</tr>
<tr>
<td>&quot;Race to the Authorities&quot;: Jurisdictions of the Civil and the Rabbinical Courts</td>
<td>104</td>
</tr>
<tr>
<td>Marriage and divorce in the Jewish-Orthodox rule</td>
<td>105</td>
</tr>
<tr>
<td>Rabbinical courts</td>
<td>106</td>
</tr>
</tbody>
</table>
Single parent families 117
Same sex families 118
Formal Recognition of Same-Sex Relationships or Marriages 118
Recognition of Parental Rights for LGBT 119
Paradigms of same-sex relationships, families and parenting 119
Choosing a name after marriage 120
Solutions to the problem of sarvanut and to the Supremacy of the Religious Courts 121
Halachic solutions 121
Legal and legislative solutions 121
Political solutions 122
Marriage Laws in the Arab Sector 124
Marriage laws 124
Child marriage 124
Polygamy 125
Divorce Law 125
Civil and Religious Courts 126
Division of authority 126
Family court 126
Child support and alimony

Division of property 127
Custody over minors 127
First Chapter: Data, basic terms and women in Israel

The purpose of this book is to integrate theory and practice. The terms do not stand alone in a void but are manifested in a specific reality, a practice that forms their local and daily character.

The debate in the importance of data and its ability to actualize social phenomenon’s, to shape reality, to call for action and influence, opens the first part of the book. The data that is presented in the book show that although the compressive work and the large amount of data that was gathered, there is still a lack of information. According the correction in the Statistics Ordinance (data collection according to gender), 2007 and the correction in the Women’s Equal Rights act, 1951, public institutions that distribute data about individuals will publish data according to the segmentation of gender.

This provision of law may assist the legislature to perform, in the optimal manner, with reference to data that is differentiated according to gender and based on a more precise, realistic and scrutinized examination. The provision of law came into force on January 2009 and the Authority for the Advancement of Women has approached a wide range of institutions and governmental ministries in order to inform them about it. With that, there is still a lack of data within the official institutions such as the Central Bureau of Statistics, the National Insurance Institute of Israel, academic research facilities and various organizations. Two different kinds of deficiencies were detected and updated while compiling the data for this book; first- the absence of reference to gender and the second- studies, surveys and statistical data that refer to gender as one category but do not refer to sub categories such as ethnic group and place of birth.

In the social climate the equality promised to women is structured through three major domains: the religious institutions, the IDF and the family structure. The questions concerning the terms and data and the gap between theory and reality will continue to accompany us in the quest to offer labels, names, portraits and quantify the status of women in Israel.
Data collection, observations, queries and difficulties

A large amount of the data in the book is based on statistical figures and surveys conducted by state institutions and academic research. The information in this book is also based on data from the Central Bureau of Statistics and the National Insurance Institute of Israel, both professional and a-political organizations. Yet, in every measurement method assumptions that are influenced by gender, social approach, economical view and others are integrated. A non-proclaimed agenda does not mean a nonexistent one and not disputing the agenda openly means preservation of assumptions as "obvious".

The foundation of the data and theory in this chapter are meant to serve as a central tool in the work of any interested party to familiarize with the diversity within the female population in Israel and the social change that is required. The book does not only offer an assembly of facts and figures but an inspection of the data, combined with an attempt to present it from a consistent point of view that is aimed at promoting women's rights within the Israeli society.

Men and women from various organizations and locations, maintaining diverse opinions are presenting different points of view concerning the different issues discussed in the book. The data in the book refers to gender inequality and its manifestation in the Israeli society but does not include the whole scope of the issue. There is missing and hidden information, an issue that must be challenged.

Even though we can recognize improvement in different fields, the current and evident information displays inequality, discrimination, exclusion and even systematic neglect. A decrease in the gap is visible but the process is a very slow one and is relevant only to specific domains. The social location of a group in society effects its visibility in the public discourse. Women are defined as a minority although they are not, quantitative-wise. Women are categorized as the "other" or a minority and are further discriminated when they belong to an additional "minority" such as Arabs, lesbians, Middle Eastern and so on. The more "minorities" that a woman belongs to the prejudice against her intensifies.

Equality, legislation and rulings in Israel: a feminist perspective
Israel signed international covenants that include prevention of discrimination is but is the only democracy that has not insured the right to equality in its laws. The Equality Fundamental Law was not legislated as a result of internal political pressure, inflicted by the ultra orthodox parties.

The scroll of independence promises complete equality of social and political rights to all its citizens irrespective of religion, race or sex. An historic study of the scroll’s earlier drafts shows that the gender factor was incorporated at the last moment (Shahar, 1992). The Women's Rights Act (1951) is a specific and coherent wording that is aimed to protect women's equality within the Israeli law. With that, the law is not comprehensive, lacks in reference to family law and certain life areas such as, equal pay, social rights, the implementation of the law and more. The main disadvantage of the law is that it was legislated as a regular law and not a fundamental law and as result does not hold a higher status in relation to other laws. MK Yael Dayan initiated a process to legislate a Women's Equal Rights act as a fundamental law. When it was made clear that the law will not be legislated a compromise was offered, and in 1999 a correction of the law was places on the Knesset's table. The corrections were approved in 2000 and elevated the issue of women's rights within the Israeli law and extended the incidence of the law; affirmative action is specified, the wording concerning equality of women is more specific and clear, the law refers to the different areas of life such as employment, housing, health and welfare. Although it is mostly declarative, statements have a great public influence. While the law is not a fundamental law, very important feminist principles are included in the different clauses: clause 6A states the women's right on her body; clause 6B deals with the right to protection from violence, sexual harassment and abuse and women trafficking; clause 6C states the obligation to insure a fair representation of women meaning affirmative action; clause 6D refers to the right for women’s equality in the army.

Who defines equality?

MacKinnon argues that definition of the term equality is a male definition from the start and must be substituted with a broader definition. Occupational equality for women, for example, does not refer only to equal pay but also includes actions that secure specific protection for women in the occupational field (such as the Prevention of Sexual Harassment act). Only when women will receive legal defense and effective enforcement of law will be implemented, only then it will be possible to state that women achieve fundamental equal rights. The premise is that the term equality is defined by men, this makes it irrelevant to talk about affirmative action or privileges for women but forces us to recognize that men receive constant preference.

1 Although the clause concludes with a stipulation in order to deal with the issue of abortions.
2 An exception is stated- if the fulfillment of duty or the assignation do not permit equality.
The definition of equality in Israel is problematic from an historic point of view that is why Kamir offers to replace the term equality with the term "human dignity" which is more understandable and customary in Israel. Kamir calls on the a-Zionist feminism to assist in overcoming the social climate in Israel and uniting the wide range of feminist trends in Israel. Kamir offers to pass legislation that promotes women’s rights by the means of specific dignity based feminism. Kamir points out that the Israeli Basic Law on Human Dignity has been the base for the Prevention of Sexual Harassment law, 1998 (Kamir, 2004:194-218). Human dignity can be the alternative feminist strategy and thought that supplements that principle of equality.

In conclusion, the different feminist theories go against the desire for equal standard that promises women the status that men occupy. The philosophical base of this resistance is that men and women are different; the difference between them must be recognized and women should not be forced to resemble the male standard.

For the sake of discussion, we will assume that the definition of women's equality is the recognition and encouragement of equality between men and women in society, in areas where their skills are identical, or similar. This should also apply to the fields where society has created significant distinctions between men and women such as domestic violence, sexual harassment, family law-fields that women require "modification" in their favor.

According to the concept that equality includes equal opportunities and equality of the outcome, the state is responsible to operate genuinely and in effectively in order to assure equality to all individuals in the different parts of society seeking the various "modifications". These actions will lead the state ti become an equal and democratic state in the future.

The importance of a feminist point of view is the focus on the silenced, the missing, the underappreciated and the untreated. A long line of issues that were on part of the second- wave feminist’ discourse continue to occupy it today. The various fields that this book deals with emphasizes that legislation has not deliver us to a safe harbor. This book alongside other books that deal with the state of women is Israel, points out the progress but also the exclusion and the oversight. We must seek the place that are near and far away, the illuminated and the tenebrous and constantly progress towards the goal. A long way lays before us, we must widen our steps and persist.

Second Chapter: Women’s health
Introduction: gender, the body and health

Health is all of the physical, emotional, social, gender, class and economic aspects, which stem from the basic human rights. This chapter on women’s health was written through a comprehensive examination which incorporated these aspects.

Through the years, many studies have been conducted on groups of men only, and only little knowledge was gathered on the woman’s body, epidemiology of different diseases as they are manifested on women, and the right treatment for women. The gaps that formed in medical knowledge and information in relation to the sexes over the years limit our understanding of the special needs of women. The approach of gender-based medicine comes out against these perceptions and calls to consider biological sex and see it as an important variable in all scientific research and practical implementation. The recognition of gender balance in research brought about improvement in some fields, but there is still a lot of room for change and for raising awareness of the subject. Gaps between the sexes reflects on gender discrimination in public policy, in medical education and internship, and eventually in clinical practices, management of medical personnel and providing medical services.

Anxiety, tension, and violence, and on the national level budgets are directed toward war and not health or welfare. Women in Israel, like every other place in the world, are the main victims of violence, mentally and physically (Amnesty International, 2004; Raday, 2004; Sachs et. Al, 2005).

Morbidity among women: main causes of death, risk factors and mortality

Health indicators
Life expectancy

In general, in the whole world, women's life expectancy is higher than men's. The life expectancy of the general population in Israel, between the years 2005-2009, was 82.7 years for women and 78.9 years for men. Among Jews and those defined as “others”, life expectancy was 83.1 years for women and 79.4 years for men, similar to the life expectancy of Jews: 83.1 years for women and 79.6 years for men. Among Arabs, life expectancy was 79.3 for women and 75.5 for men (the Central Bureau of Statistics, 2011c: table 3.24). Assuming that mortality patterns would not change, more than half the women born between the years 2005-2009 are expected to live more than 84 years, and more than half the men born between these years are expected to live more than 80 years. About 25% of the women and 16.5% of the men born between the years 2005-2009 are expected to live at least 90 years. Women 65 years of age are expected to live an average of 20.7 more years, and women 80 years of age are expected to live an average of 9.4 more years. Men 65 years of age are expected to live an average of 18.5 more years, and men 80 years of age are expected to live an average of 8.8 more years (Central Bureau of Statistics, 2011c: table 3.25).

According to data collected in 2010, in Israel, the life expectancy of Arab women is 2.7 years lower than that of Jewish women. The gap in life expectancy between Jewish and Arab women indicates the poor health status of Arab women.

In Israel, the difference between the life expectancy at birth, of women and men, is relatively low. In 2009 the difference in Israel

Mortality and main causes of death

The distribution of the main causes of death among women is similar to the distribution of the main causes of death among men. The most common cause of death in Israel today, among women and men, is cancer. Cancer is the main cause of death of about one fourth of all women’s deaths. The most common cancer is breast cancer; of which incidence in Israel is of the highest in the world (1 of 8 women will have breast cancer). About 20% of women’s deaths are caused by heart disease, about 7% of strokes, and a similar percentage of diabetes.

Health habits: risk factors and preventive health

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3 The source of the data concerning the causes of death in the mortality file “causes of death” of the Central Bureau of Statistics, according to the international classification (ICD-10). The data is presented, following the age regulations, in the publication: Health Status in Israel – 2010, the National Center for Disease Control.
Behaviors and lifestyle

In a national survey on women’s health in Israel it was found that only 44% of women reported that they spoke to a doctor about at least one issue related to preventive medicine. However, there are countries in which doctors receive clinical instructions related to preventive medicine (Gross and Barmeli-Greenberg, 2000). An important part of the discussion on preventive medicine deals with health habits, out of recognition of their significant influence on quality of life, morbidity and mortality.

The number of visits of women to the doctor (family and specialists, not including dentists) has increased over the past 10 years, from an average of 6.2 per year during the years 1999-2000 to an average of 6.9 in 2009. At the same time, the number of visits of men has decreased from 8.0 to 5.5 (Central Bureau of Statistics, 2009b).

The average number of visits to the family doctor in 2009 was higher among women – 4.6 visits per person, compared to men – 3.9 visits per person. The rate of visits per person was higher for Jewish women (4.7) compared with Arab women (4.3).

Equality in the accessibility of women in Israel to health services

The health survey conducted in Israel in 2010 reveals large gaps between Jews and Arabs in relation to life saving medical tests. The data indicates that Arab women tend to accede to undergoing mammography less than Jewish women. Examination of accessibility to these tests shows that there are almost no mammography facilities in Arab towns, and Arab women have to travel to Jewish towns in the vicinity in order to undergo these test, therefore, for them the test is more expensive and less accessible (Daoud, 2010). The Israel Cancer Association joined the effort to solve this problem, and operates one mobile unit which travels to remote towns, but one mobile unit cannot solve the national problem. Due to the diminution of medical specialists in outlying areas and Arab villages, the residents, for lack of any other option, consult a family doctor. The percentage of Arab men and women who consult a family doctor is larger than the percentage of Jewish men and women who do so (The Ministry of Health, 2011).

4 Most of the data regarding behaviors related to the health of the adult population is based on the findings of the INHIS national survey, executed by the Central Bureau for Disease Control, in a representative sample of about 10,000 women and men in Israel, age 21 and up.
An equally important issue is the cultural barriers in accessibility to health services. Studies have found that Arab women use the services of the family doctor less frequently if they find out he is related to them (Elnekave and Gross, 2004; Daoud, 2010). A research that examined the health perceptions of Arab women and the barriers that stand between them and obtaining good health, found that cultural, economic and political factors combined create an accumulating effect which makes it difficult for them to access health services (Daoud, 2010).

**Women with disabilities**

Among people receiving disability benefits from the National Insurance Institute of Israel in 2010, women were 40% of the recipients of general disability benefits. The assistance services for people with disabilities are provided by the government ministries, the National Insurance Institute, the Commission for Equal Rights for Persons with Disabilities, local authorities, health maintenance organizations, non-profit organizations, and businesses. These services include: health services, special education, mental assistance and support, pre-medical care, housing, vocational rehabilitation, assistance in providing accessibility to housing and public institutions, and more.

The rate of women with disabilities is higher than that of men. For example, the average percentage of people with disabilities during the years 2003-2006 was 19% of women and 17% of men; the rate of women with severe disabilities is higher than the rate of men with severe disabilities; women with disabilities suffer more from violence and sexual assault compared to women who do not have a disability; the rate of women with severe disabilities who are not married is higher than that of the men with severe disabilities who are not married; women with disabilities deal with more employment issues than men with disabilities (Naon, 2009).

Women constitute close to 58% of all persons with severe disabilities among adults (ages 20 and up): in 2008 their number was estimated at about 639,000 compared with 471,200 men. The relatively high percentages of women are a result of a relatively high disability rate among women over the age of 45 (for example, in these ages, the rate of women with severe accessibility disability is more than 30% higher than that of men) and the longer life expectancy of women as well (the Commission for Equal Rights for Persons with Disabilities, 2010).

About one fifth (20%) of the women receiving disability benefits are housewives, of which entitlement depends on their being married, not working, and are required a threshold of 50% medical disability to receive disability benefits, compared with 40% required of insured persons (men and women) through the National Insurance Institute (the National Insurance Institute, 2011: Ch. 3).
In other words, the conditions to determine whether a housewife can receive disability benefits are stricter compared to persons insured through the National Insurance Institute.

It was found that medical treatment is less accessible to women with disabilities compared to women without disabilities. The different medical services and treatments, such as medical clinics, beds and chairs for gynecological examinations, are not adapted to the unique needs of women with disabilities, and many times the medical staff is not aware of these needs. The rate of women with disabilities who go to the gynecologist is low. The rate of women with disabilities, who indicated they have had difficulties receiving medical treatments, is high (41% compared with 23% of women without disabilities). A high rate of women with disabilities who needed medical treatment reported they did not receive any medical treatments when they needed them (19% compared with 13% of women without disabilities who needed treatment). Women with disabilities are not asked questions regarding their accessibility to preventive medicine services, such as an early detection test for cervical cancer and an early detection test for breast cancer. Likewise, many doctors do not perceive women with disabilities as needing services related to fertility and sexuality. They are labeled as asexual and get treated with suspicions regarding their parental abilities (Gross and Barmeli-Greenberg, 2000).

**Eating Disorders**

According to the program for development and expansion of treatment services for eating disorders in Israel, 49 beds were supposed to be added, for minors and adults, some for outpatients and some for full admission, to the 92 beds that existed in July 2008. The Ministry of Health presented a plan for the expansion of treatment in eating disorders in Israel, which was intended, among others, to shorten waiting periods for treatment, since today the waiting period for treatment is at least three months.

**Mental health**

The percentage of women admitted in psychiatric hospitalization in Israel, out of the total persons admitted, decreased during the last decade. At the end of December 1999 4,230 men (59.9% of total) and 2,830 women (40.1% of total) were admitted to psychiatric hospitalization. However, at the end of December 2007 2,329 men (65.7% of total) and 1,218 women (34.3% of total) (the Ministry of Health and the Israel Center for Disease Control, 2011) were admitted to psychiatric hospitalization.
Anxiety disorders and mental disorders

Anxiety and emotional disorders are disorders in which gender differences are prominent, inasmuch as their reported incidence among women is much higher than their incidence among men: the rate of women suffering from depression or anxiety is twice as high as men: 32 out of every 1,000 women reported suffering from depression or anxiety, compared with 16 out of every 1,000 men. Among women aged 65 and up, the rate is 107 women out of 1,000 (The Central Bureau of Statistics, 2009b). According to the data collected by the Social Survey 2010, the percentage of women who reported feeling depressed in the 12 months prior to the survey, was higher than that of the men: About 11% of the women reported they often felt depressed, and about 20% reported they have felt depressed occasionally in the last 12 months; however, about 7% of the men reported they often felt depressed and about 14% reported they have felt depressed occasionally. Likewise, the percentage of women reporting feeling depressed increases with age: about 19% of women aged 65 and up reported they have felt depressed during the passing year, compared with only 6% of women aged 20-34 (The Central Bureau of Statistics, 2009b).

Suicidal tendencies

The Suicide Report reveals that during the years 1981-2007 the number of suicides among women was lower than among men, in all ages and over all of these years. Women’s suicide rate increases with age. In 2007, the lowest suicide rate among Jewish women was among the ages 15-24 (2.1 for every 100,000 persons), and the highest was among the ages 65-74 (4.2 for every 100,000 persons) (the Ministry of Health and the Israel Center for Disease Control, 2011). Many of us perceive suicide as a phenomenon related to adolescence, but it turns out that among women, the phenomenon is more common with older and old women. It is possible that this is related to poverty and the solitude women experience with greater vigor during their later years, that is to say, the relatively high life expectancy of women is an obstacle. Many widows live in solitude with relatively little resources for managing their independent lives. They deal with solitude accompanied by a loss of status due to the loss of their spouse. This difficulty does not receive recognition or support on the social level.

The suicide rate among adolescent girls is considerably lower than its rate among adolescent boys. In 2007, the suicide rate among adolescent girls was 1.9 for every 100,000 persons, and the suicide rate among Arab and Jewish adolescent boys was 6.8 and 6.7 for every 100,000 persons, respectively (the Ministry of Health and the Israel Center for Disease Control, 2010). The number of women who commit suicide is much lower compared with the men who commit suicide. However, when suicide
attempts are examined, the opposite data is found. In 2007, the suicide attempts rate among Jewish women was 91.2 for every 100,000 persons, and among Jewish men it was 62.0 for every 100,000 persons (the gap between men and women has been relatively stable along the years, and is similar in the Arab population). Suicide attempts among women are an outcome of distress on the social level, which does not receive recognition or treatment and therefore becomes a personal private experience of the women. Most suicide attempts among women have a background of difficulty in a relationship (such as relationships in which they are beaten, harassed, sexually abused or abused in other ways). Men’s suicides, on the other hand, are mostly an outcome of feelings of personal failure, most of which are related to professional and occupation achievements.

Older women in Israel

The rate of women and men over the age of 65 in Israel today is about 10% of the total population. It is a low percentage compared to European countries, especially Italy and Germany, in which the rate of women and men over the age of 65 is about 20% (JDC – ESHEL, 2009).

The Elderly in Israel: Statistical Abstract 2010 reveals that women report feeling lonely more than men: 25% of women over the age of 65 often feel lonely, compared with 13% of the men at this age. Their loneliness harms their quality of life. The data indicates that old men tend more than old women to evaluate their health as good: 46% of men compared with 37% of women reported a “good” or “very good” health. In 2009, 56.8% of all old persons in Israel were old women. Within the age group of 80 years and older, women constitute 61%. Since women live longer than men, and the man is usually older than his wife, many women live as widows. 40% of women over 65 are not married: 55% of women ages 65-74 and 25% of women ages 75 and older (Mashav – Planning for the Elderly – A National Data Base, 2011). Usually, old women are poorer than men their age, since during their lives they have earned less than men, have taken breaks from their professional development to take care of children or other family members, and thus their working continuity and promotion possibilities were damaged. Most of them worked in part time positions and/or with relatively low salaries, and had no organized pension savings plan.

The basic old age pension and the related increments are about 20% of the average worker’s wage. For comparison, in Europe, the basic pension is about 30% of the average worker’s wage. The rate of women who received pension payments from work in 2009 was only about 31% of women ages 60 and older, compared with 41% of men ages 65 and older (Mashav, 2011). The problem worsens among immigrant women, most of which arrived in Israel with no savings and some will not accumulate enough seniority at work in Israel in order to enjoy pension payments from work.
Fertility, health and cultural aspects

The total fertility rate in Israel (3.0) is significantly higher than the rest of the OECD countries, of which total fertility rate is less than 2, and of western European countries, of which the average is 1.5 (the Ministry of Health and the Israel Center for Disease Control, 2011). The total fertility rate is the average number of children a woman is expected to have. In 2010, the total fertility rate in Israel was estimated, according to the Central Bureau of Statistics, at 3.03. In an analysis of the data by religion, it can be seen that the total fertility rate of Muslim women is the highest, and the fertility rate of women with no religious classification is the lowest: 3.75 and 1.64 respectively. The total fertility rate of Jewish and Druse women is lower than the total fertility rate of Muslim women, but is higher than the fertility rate of Christian women and women with no religious classification.

The total fertility rate in Israel is declining: from an average of 3.88 during the years 1960-1964 to 2.91 during 2005-2009. From 1960 until 2009 there was a significant decrease in the total fertility rate of Muslim, Druse and Christian women, and a slight decrease in the fertility rate of Jewish women. During the last decade there was a slight increase in the fertility rate of Jewish women, mostly women who were born in Israel. A sharp decrease was recorded among Muslim women since 1980 (the Central Bureau of Statistics, 2010).

Contraceptive methods and fertility treatments

In Israel, about 28,000 rounds of treatments are carried out every year. Likewise, there are relatively high success rates of fertility treatments in Israel, an outcome of the investment of resources in medical research and development. Likewise, there is no limit of treatment until the birth of two children.

On the other hand, the medical establishment has not developed clear policies on the issue of contraceptives. Until 2005, birth control pills were not a part of the health basket (subsidized health services), unless they were intended for another medical reason such as regulating the menstrual cycle. In 2005 birth control pills were added to the health basket, only for women up to the age of 20.

Prenatal care

The health basket includes genetic testing for genetic diseases such as Tay-Sachs and Thalassemia, as part of the genetic counseling of couples before the woman gets pregnant, or during her pregnancy.
Different follow-up tests and surveys for detection of pregnancy defects are also included in the health basket. Pregnant women can have a pre-pregnancy follow-up plan for family planning and prevention of birth defects in family planning clinics and/or with their doctor. Since 1972 the country funds the Rubella vaccine for all pre-teen girls.

**Egg donation**

The Egg Donation Law relates specifically to the donation of eggs, without including it in the fertility and birth legislation. Therefore, it does not allow enough regulation and does not regulate the amount of the payment for egg donations. The issue of the payment raises additional questions. Most donors reported economic motivation as their main reason for donating. If so, there is no donation but sale, which may be needed to be defined in a different way. Overall, a reference to the egg donors, the process they are going through, and their needs is lacking, in the law and in the attitude of the doctors (Shay, Hashash, Greenstein and Eyal, 2011).

**Surrogacy**

The Agreement for Carrying Embryo Law, 5756-1996 (the surrogacy law) was legislated in 1996 and allows surrogacy in Israel. According to the law, a woman who can serve as a surrogate to a couple of parents to be, for the purpose of carrying a pregnancy, is a woman who is not married, a mother to at least one child, who has no familial relationship to the parents to be. The egg used for fertilization will not be hers, but will be of the mother to be, or of an anonymous donor. The surrogate is entitled to payment, which is defined by law as reimbursement, for carrying in her body the pregnancy of the parents to be (Agreement for Carrying Embryo Law, 5756-1996). This law places Israel as one of few countries who allow surrogacy.

Since the Approvals Committee for Carrying Embryos was established and until 2009, it received 655 applications and some 82% of the applications were approved. There is a steep increase in the number of cases opened in the committee each year: from 41 cases in 1996-1997 to 180 cases in 2008-2009 (Semama, 2011). According to the law, the committee finishes its role when signing the agreement, and there is no official documentation which assembles data regarding the number of procedures which ended with childbirth. Semama estimates that 265 children were born in Israel out of surrogacy procedures, of which 153 were one infant, 53 were twins, and two were triplets. The director of the mediation agency though which most of the agreements are signed, estimates that the numbers are even higher (Teman, 2010). Most of the people who apply to the committee are Jews, and few of them are Christian (Catholic?). The approval procedure of the agreement in the committee takes between one month and a half and six months (Teman, 2010). The estimated cost
of legal surrogacy in Israel today is between NIS 110,000 to NIS 140,000 payment to the surrogate; about NIS 30,000 payment to the agency locating and diagnosing a suitable surrogate; an additional sum of money is deposited in a trust fund to cover the expenses defined in each contract (such as an increment for multiple pregnancies); there are also additional expenses for legal consultation, life insurance and psychological counseling for the surrogate (Semama, 2011). Over the years the approvals committee added criteria for the approval of a suitable surrogate, in order to protect her physical and mental health.

Fertility rights

In Israel in 2011, a woman is entitled to four treatment cycles a year and up to eight treatment cycles during a period of two years, subject to the approval of a district medical board. This is true for women who are in a relationship (even if not married), women who are in a new relationship and want to have a joint child with their partner (even if the two partners have children from previous marriages) and every woman who wants to be a single mother until the age of 45. In addition, Israeli women are entitled to receive an egg donation up to the age of 54. Many women who need an egg donation do so abroad and are aided by supplemental insurance. In January 2011 the Ministry of Health decided that women aged 30-47 can freeze their eggs, if they are undergoing medical procedures that may harm their fertility. This treatment is not in the health basket, and its purpose is that the women will be able to use the frozen eggs in the future. This is despite the fact that today the rate of pregnancies obtained with a thawed egg is low. According to the Employment of Women Law, women who are undergoing treatments can be absent from work according to the number of days in the employing framework, and after giving notice to the employer ahead of time and receiving a medical certificate of approval women who are undergoing treatments are protected from being fired if they have worked at least six months in their place of employment. If a notice has not been given for termination of employment, the woman undergoing treatment is protected from being fired provided that she has informed she is undergoing fertility treatments and provided that she provides a certificate of approval within 14 days.

In vitro fertilization treatments in Israel

In Israel, the legislature has decided that in vitro fertilization will be included in the health basket and will be subsidized by the state. A significant part of the budget of the Ministry of Health is dedicated to the issue of fertility. In 1990, the state of Israel has held the highest number of fertility clinics per capita in the world (24 units for a population of 5.5 million residents). In 2006 there were 30 fertility clinics for a population of 7 million residents.
Pregnancy and birth in Israel

Israel is one of the leading countries in the field of prenatal diagnosis. During pregnancy, and during pregnancy planning, women are offered many tests, such as genetic testing, ultrasonography and anomaly scan, statistical survey testing and amniocentesis. Research shows that the number of prenatal tests conducted on a woman in Israel during her pregnancy is one of the highest in the world. The medical establishment, the religious establishment and the legal establishment in Israel encourage these tests. The state funds a relatively large portion of the prenatal diagnosis tests through the health maintenance organizations, and apart from that, tests with an additional cost are offered, and many women pay for them out of their own money.

About 18% of pregnancy terminations which were performed by law in 2010 were approved in committees for pregnancy termination according to section 3 of the law on this issue, which enables termination of pregnancy if the fetus may have a physical or mental defect (the Central Bureau of Statistics 2011, table 3.20). Termination of pregnancy for this reason is funded by the health maintenance organizations.

The number of births in Israel is increasing every year. In 2011 there was an increase of 3% in the number of births; about 30.5% of them were births of primiparas (Bar and Kovo, 2011).

In most of the hospitals, the woman giving birth can choose whether she would use pain relief for childbirth and which type she would like to use. About 57% of women giving birth in Israel use regional anesthesia (epidural) to ease childbirth pain (Bar and Kovo, 2011). A comparative international examination reveals differences between the choices of women giving birth in relation to pain relief. The use rate of epidural during childbirth is 51% in France, 33% in Australia, 30% in Canada, 24% in the United Kingdom, and only 5% in Hungary and in Holland (Kupermintz, 2004). In light of this data, the use rate of epidural in Israel is relatively high. The use of pain relief stems from, among others, different social and cultural factors, which influence the attitude toward pain and the approach to the experience of childbirth as a whole. In Israel, like the rest of the Western world, almost all women giving birth do so in delivery rooms in hospitals. The number of caesarian sections done as per the woman’s request, with no medical justification, is continuously decreasing: from 3.5% in 2008 to 1.7% in 2010. The main medical reasons for caesarian sections which are done for

5 Primapara: a woman giving birth for the first time, having her first born child.
medical reasons are: the position of the fetus in the uterus, suspicion of distress of the fetus, previous caesarian section and failure of labor to progress (Braverman, 2011). The rate of caesarian sections out of all births was 18.2% in 2004 and 19.3% in 2011. 65.8% of women who had a caesarian section in the past and wanted to have vaginal birth, succeeded.

In 2010 four mothers died from complications during childbirth.

**Home births in Israel**

Over 99.5% of births in Israel take place in hospitals. About 700 planned home births take place in Israel each year. Home birth is designated for healthy women who are not at risk according to medical definitions. Women who choose to give birth at home do so in order to reduce medical intervention as much as possible, to give birth in the familiar and supporting home environment and to create a positive experience for themselves and for the newborn. In January 2008 the Ministry of Health published guidelines for home birth in Israel. In the beginning of the guide it was written that, as a rule, delivery rooms in known and licensed hospitals are preferable, but since home births take place in Israel, guidelines are published. Israeli law today permits home births. However, the public position of the Ministry of Health is that births should take place in a hospital and in a ward designated for them. This position is realized in policy related to financial benefits given to women who gave birth, in particular hospitalization benefit and birth benefit (Almagor-Lotan, 2008). The birth benefit is paid by the National Insurance Institute (as detailed below) only to women who gave birth in a hospital. Women who give birth at home do not get the birth benefit, unless they have arrived to the hospital within 24 hours after they had given birth. Women who gave birth at home do not receive any participation in the cost of the midwife/doula/doctor who accompanies the home birth. In 2010, out of 735 women who gave birth at home, 677 (92%) finished their birth at home, and 97% of the births ended with normal vaginal birth. None of the newborns who were transferred to the hospital, or of mothers, who were transferred to the hospital and gave birth in the hospital, needed exceptional care (intensive care) and they were all released from the hospital as usual. The same is true regarding the mothers.

**Maternity leave and benefits**

In Israel, paid maternity leave is customary for a woman for which national insurance money was allocated in the months prior to the birth. Maternity leave is given for 14 weeks since the birth. A woman is allowed to go on maternity leave up to seven weeks prior to the estimated date of birth. In the birth of twins they can extend the leave with three additional weeks. The right to a 14 week maternity leave is also given in the adoption of children who are under the age of 10.
The birth package is given to a woman who gave birth in a hospital or was admitted right after birth. The package is paid to the woman who gave birth within one month of the birth, straight into the bank account in which the child benefits are transferred, and on the first birth – to the bank account given in the hospital. The package is given in the following conditions:

1. To an Israeli resident, or the wife of an Israeli resident (even if the birth took place outside of Israel).

2. To a woman working in Israel, or of a partner who works and employed in Israel for at least six continuous months in the period before the birth. This is true even if they are not residents of Israel provided that the birth took place in Israel.

3. If the woman who gave birth is not alive, her partner or the guardian of the newborn is entitled to the birth package.

A man can take parental leave provided that his wife, who is entitled to leave according to the conditions of the National Insurance Institute, agreed to waive, in writing, a part of it, and she goes back to her work. A man’s parental leave can start only after the end of the first six weeks after the birth (Daliot and Hed, 2011: 530-531).

**Breastfeeding**

About 85% of women in Israel start to breastfeed after birth, and almost 40% breastfeed when the baby is six months old (Daliot and Hed, 2011). Even so, there is still no satisfactory implementation of the demand to provide women with breastfeeding rooms in workplaces and public spaces.

**Termination of pregnancy**

In 2009 19,887 terminations of pregnancy were performed in Israel with the approval of the committees. The composition of the committee is fixed by law: two specialist doctors and a social worker. The pregnancy termination committee can be held at any hospital, governmental or private, that has a maternity or gynecology ward.

Since the year 2000, the percentage of pregnancy termination in private hospitals (after the approval of the committee) is declining (31%) compared with a significant increase in governmental hospitals (increase of 48%): in 2009 35.5% of the terminations of pregnancy were done in governmental hospitals, 19.9% in Clalit Health Care Services and 4.6% in public hospitals, compared with 39.9% of terminations of pregnancy which were done in private hospitals. Most (63%) of terminations of pregnancy done in private hospitals are according to clause 2 of the law, pregnancy out of marriage.
(compared with 54% national average). Likewise, about two thirds (69%) of terminations of pregnancy in governmental hospitals were up to the seventh week of pregnancy (compared with about 58% national average) (the Ministry of Health, Information, Information and Computers, 2011). The committees are supposed to assemble at least once a week, according to the number of applications. Since the year 2000 the approvals of the committee are about 98%. The data of the Ministry of Health reveals that the rate of termination of pregnancy is declining in the past decade, and in 2009 it was 11.1 for every 1,000 persons in the age of fertility (Ministry of Health, 2010).

Termination of pregnancy is not included in the health basket. The funding of terminations of pregnancy as part of the health basket includes termination of pregnancy due to a risk of the woman’s life or her mental state, due to fear of physical or mental defect of the fetus, if the pregnancy stems from relations forbidden by criminal law or incest and if the woman is a minor.  

As of August 2010, the cost of assembling the pregnancy termination committee is NIS 305 in most hospitals in Israel, but in some hospitals the cost is lower, of NIS 250. Added to the price of the committee is the price of the pregnancy termination, which is between NIS 2,256 and NIS 3,000, depending on the hospital and the stage of the pregnancy in which the procedure is done. In private frameworks, such as surgical centers, the cost is higher and can reach a few thousand shekels. Married women who terminate their pregnancy according to clause 4, “out of marriage”, or women over 40 (clause 1) pay full price (Yadgar, 2011).

Demographic considerations

The data shows that the rate of pregnancy terminations of women with no religious classification is double than those of Jewish women and four times higher than that of Muslim women (Health in Israel 2010, the Ministry of Health). The rate is especially high among immigrants from Ethiopia (who arrived in 1980 and after), 40.6 of every 1,000 women in the age of fertility (15-49) and among immigrants from former USSR who arrived in 1990 and after: 16.3, compared with 10.5 among all Jewish women in 2009. However, since 2000 there is a decrease in the number of approvals given to women who emigrated from former USSR, while the number of approvals given to women who emigrated from Ethiopia increased in the same period.

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6 On this subject the law gives minors a rare freedom, and rules that the consent of the minor (at any age) to terminate the pregnancy does not require approval (of a parent or guardian). A common interpretation is that the minor is entitled to complete confidentiality in relation to her parents, before and after the termination of pregnancy, also in cases when there was a suspicion of pregnancy that was proven false or when there was a miscarriage. This order also creates an absurdity, since the same minor, with such comprehensive autonomy regarding the termination of pregnancy, needs the consent of her parents for medical actions related to the pregnancy, if she decides to keep it. The parents’ consent will be required for invasive procedures such as amniocentesis and caesarian section.
emigrated from Ethiopia is increased at this time (and is 3.9 times higher than the number of approvals given to Jewish women born in Israel). In 2009, about 42% of all approvals were given to married women, a relatively stable percentage which remains the same since 2000 (the Ministry of Health, 2010). Interesting relations are revealed between the different clauses of women from different religions and cultures. The clause most women with no religious classification, Jewish women, and Christian women used is pregnancy out of marriage (61%, 56%, and 39%, respectively), and the clause most Muslim and Druse women used (42% and 48%, respectively) was risk to the woman’s health.

In 2009, more than two thirds of pregnancy terminations (64%) were done during the first seven weeks, one fourth (24%) were done during weeks 8-12, and about one tenth (10%) was done from 13th week and after. Only one percent of all terminations of pregnancy were done after week 23. The perception of the normative woman that is derived from the committee's data is complex. Most women who come to the committees are married, but most pregnancy terminations are done according to the clause of relations out of marriage. As stated, the law states that a married woman with an unwanted pregnancy cannot terminate the pregnancy of her own reasons, as opposed to a single or divorced woman. The acceptable estimation (although in the absence of data it is unofficial) is that there are 4,000-6,000 illegal terminations of pregnancy a year.

**The choice of parenting, different families**

Children are the hinge around which life takes place in Israel, and birth has social, demographic and political significance. This crosses all social groups. At the end of 2010 2.52 million children (ages 0-17) were living in Israel, and constituted about one third of the population (the Central Bureau of Statistics, 2011a). In most western countries the percentage of children is lower (18%-26%), and in Arab countries about one half of the population is children (The Central Bureau of Statistics, 2006b).

Most of the children in Israel grow up in a framework of a traditional family with two parents (93%) (The Central Bureau of Statistics, 2011a: table 5.5). The number of women giving birth who are not married grew over the years, and in 2010 there were 8.1 births by single women out of every 1,000 births. Most of the increase in the rate of births by single women is among women ages 30 and up, and its peak is at the ages 36-39. Since the mid-1990s and until 2010 this age group had an increase of about 81% in the number of births by single women (The Central Bureau of Statistics, 2011a: table 3.17). The group of single mothers includes a few sub-groups: divorced women, widows, single mothers by choice and others. In Israel in the last three decades, a significant increase was noted in the rate of single parent families: form 4% in the 1970s to 8.6% in 1995 and 9.4% in 2010. The data of
the Central Bureau of Statistics shows that in 2010 106,800 single parent families lived in Israel with children under the age of 17, which constituted 9.4% of all families (The Central Bureau of Statistics, 2011a: table 5.8). The average number of children in single parent families is lower than the general average (1.8 children and 2.5 children per family, respectively). In 2010, at the head of 90% of single parent families stood a woman. Social changes can be seen in the data. If during the early 1970s widows stood at the head of most single parent families (58.5%), today divorced women stand at the head of most single parent families (58%) (Swirski et.al, 2002; the Central Bureau of Statistics, 2011a: table 5.4). Divorced women constitute 14% of all Jewish women in Israel (the Central Bureau of Statistics, 2006b). In December 2010 19,820 divorced women received alimony from the National Insurance Institute.

Another group of single parent families is single women who chose to make a family without a partner. In 2009 15,100 families of single mothers by choice lived in Israel. In the last decade there was an increase of about 80% in the number of single mothers who are single (the Central Bureau of Statistics, 2011b).

Another group of single parent families are families with an immigrant from the Commonwealth of Independent States at their head. The percentage of single parent families among this group is relatively high. Another group, smaller, is of single parent families with an immigrant from Ethiopia at their head.

Another group of families which demands recognition from the establishment is same sex families. This group is not large, but it is interesting socially. It is estimated that there are 18,000 same sex households in Israel. About 25% of lesbian couples and 7% of homosexual couples raise children (Rosenblum, 2009). Most children raised in same sex families were born in heterosexual families, in which the parents divorced and the father or mother “came out”. The children live with both biological parents (in two separate houses) or with one of them. In most cases, an openly gay parent finds it hard to get custody of his children in court. Lesbians, because of being women, encounter less difficulty in getting custody, but still most of them are afraid to declare their sexual orientation, lest it cause losing custody of their children, and remain “in the closet”. The Supreme Court made precedential ruling in the petition of the female partners Yaros-Hakak, who asked to recognize their joint parenthood as lesbian mothers, and approved, in February 2006, their right to adopt each other’s biological children. The significance of this ruling is public recognition of the lesbian family, recognition of influential significance on public legitimacy for identities and relationships that do not accede to the heterosexual norm. Even so, we need to note that the ruling stated explicitly that it is the best interest of the adopted children and a particular case.
Abusing the parenting rights of foreign immigrants

According to the policy acceptable in Israel until not long ago, and to a large extent today, migrant workers do not have the right to be parents and to have children. The birth of a child of a migrant worker means an immediate termination of her permit to stay in Israel. “Pregnant migrant worker procedure”, which was set by the Ministry of the Interior, states that a migrant worker who became pregnant would have her work permit taken away from her. She will be able to get visa to stay in Israel without a possibility to work, for up to three months after the estimated date of birth, after which she would have to leave Israel immediately.

In 2005 Kav LaOved (Worker’s Hotline), the Association for Civil Rights in Israel Hotline for Migrant Workers, Naamat (Movement for the Advancement of the Status of Women) and Physicians for Human Rights petitioned to the High Court of Justice demanding to cancel the pregnant migrant worker procedure. In the petition, they claimed that this policy critically violates the rights of migrant workers and it punishes them for pregnancy and for motherhood. The threat of losing one’s work permit forces the workers to decide between horrible choices: terminating the pregnancy legally or illegally, while risking their lives and health, or leaving Israel with their child while worrying about life in great poverty, after paying huge sums of money for the arrangements of coming to Israel with work permits.

In April 2011 the Supreme Court, headed by Justice Procaccia, adopted the position of the organizations and ruled that the pregnant migrant worker procedure disproportionately violates fundamental rights, and it needs to be repealed. Justice Procaccia stated, that “forcing a woman to decide between the continuation of her employment, while realizing her legitimate economic expectations, and between her right to motherhood, is not consistent with the moral and constitutional-jurisprudence concepts of Israeli society. Presenting the given alternatives in this way constitutes, first and foremost, a violation of the constitutional right of the migrant worker to motherhood.”
Third Chapter: Education

The education system

One of the declared purposes of public education was defined in clause 2(8) in the State Education Law, 5713-1953: “to provide equal opportunities to every boy and girl, to allow them to develop in their way and create an environment which encourages the different and supports it.” The definition of the purposes of the law relates directly to girls and securing their development. The principle of equality has a leading role in the law, like most normative laws in Israel. In this manner, for example, in clause 6 of the Women Equal Rights Law, 5711-1951 equality is declared in education. In practice, equality is missing in many aspects in the education system. There is a gap between a vision of equal opportunities and the reality of our lives, in which criteria of sex, ethnic origin, race and socioeconomic status determine the quality of education. Moreover, gender inequality is frequently combined with ethnic and socioeconomic inequality, which deepens the gaps in the education system in particular.

Level of education

Examination of the level of education in Israel teaches that on the level of high school education the percentage of men is slightly higher than that of the women, but things are the other way around in relation to tertiary education. The percentage of men with 9 to 10 years of education and 11 to 12 years of education is higher than the percentage of women with the same number of years of education. The percentage of women with 13 to 15 years of education (BA) (23.7%) is higher than the percentage of men with 13 to 15 years of education (21.3%). In postgraduate education as well, 16 years and up, the percentage of women (22.1%) is a little higher than that of the men (21.5%). In this category there is an improvement compared to 2005, when the percentage of men was higher than that of the women (19.5% compared to 18.8%). In the last years more women study in institutions for higher education.

3% of the women and men in Israel over the age of 15 have not had education, 1.6% of women and men in Israel have one to 4 years of education, and about 9% have had 5 to 8 years of education. The percentage of women with zero years of education (3.4%) is high compared with that of the men (1.2%).
The examination of the group of women who lack education (up to 4 years of school) reveals that in this group, Arab women are overrepresented. The examination of women 15 and older reveals that 8.7% of Arab women have not had even one year of school, and 3.6% have had 1 to 4 years. With Jewish women the numbers are much lower and are 2.4% and 0.8% respectively (the Central Bureau of Statistics, 2011, table 8.62). Among Bedouin women it is much worse, more than half of them are illiterate and about one fifth of them do not go to school at all.

**Education from a gender perspective**

Women are more educated than men in all measures of education, from kindergarten to higher education. The rate of women who have had 13 years and more out of all women ages 15 and up was 21% in 1985, compared to 23% of men. In 2009 the rate of women who studied 13 years and more was 45.8%, compared with 42.8% of the men.\(^7\) The Central Bureau of Statistics data for 2009 regarding Arab education reveals that a high percentage of Arab female students have taken the matriculation test compared with Jewish students (94.7% compared with 83.9%), but the rates of those with a matriculation certificate (53.6%) and those who pass the requirements to be accepted to university among them (40.9%) are much lower than their rates in the Hebrew education (61.8% and 52.4%, respectively) (The Central Bureau of Statistics, 2011, table 8.23). The Central Bureau of Statistics distinguishes between theoretical and technological (professional) schools. The division is gender-based: in the care division, there are 100% girls, in both Jewish and Arab education; in computers division there are mostly boys, and in Arab education the gaps are especially prominent, the percentage of girls studying computers is insignificant. It should be noted that in the last decade there were no dramatic changes in gender-based division in school subjects, as stated above.

The segregation is not only expressed in professional schools. The quality of the certificate of matriculation is examined in the requirements to be accepted to university, in grades, in the number of subjects in the certificates and number of study units. The minimal number of study units required for receiving a matriculation certificate is 20 units. Boys who are entitled to a matriculation certificate have a higher number of units compared to girls.\(^8\) The female students in the Hebrew education constitute 7.5% of those majoring in 2 mathematics/science subjects and one subject from the Humanities, compared with 16.7% of the boys.

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\(^7\) The Central Bureau of Statistics, 2011, table 72, Ch. 8.

\(^8\) Most of the students in professional schools are boys, and the matriculation certificate in these schools has a larger number of units, due to the subjects added to the regular curriculum. A gender based examination of the matriculation certificates percentage with 29 study-units shows that in the Hebrew education 33% of the boys have this type of certificate compared with 21% of the girls, and in the Arab education 37% of the boys have this type of certificate compared with 27% of the girls.
The matriculation certificate through a gendered lens

In 2009, the rate of persons who fulfilled the requirements of the universities among those entitled to matriculation certificate in the Jewish education was 52.4% of the girls and 44% of the boys, and in the Arab education – 40.9% of the girls and 26.8% of the boys (the Central Bureau of Statistics, 2011, table 8.23). In both education systems, more than half of girls in 12th grade are entitled to a matriculation certificate, and the entitlement rate of girls in Hebrew education is higher than that of girls in Arab education.

In 2010, the rate of persons entitled to a matriculation certificate in the Hebrew education was 65.1% of boys ad 74.4% of girls, and in the Arab education – 42.4% of boys and 58.2% of girls. Meaning there is a gap of about 10% and more in favor of the girls in the rate of matriculation entitlement (the Central Bureau of Statistics, 2011, table 8.24).

Even so, the quality of the matriculation certificate, which is examined according to the fulfillment of the requirements of the universities among those who are entitled to a matriculation certificate, is higher among boys, due to the number of studying units and the number of subjects in the matriculation certificate.

It can be seen that the relative part of girls, among those entitled to a matriculation certificate, is high compared to boys (57% and 43% respectively). Nonetheless, the rate of boys who fulfill the requirements of the universities (86%) is slightly higher than the girls (84%). The number of average studying units in the boys’ certificates (28.6) is similar to that of the girls (28.4), and so is the average number of subjects in the certificate (9.2 for boys and 9.1 for girls). Out of those entitled to a matriculation certificate, a slightly higher rate for boys compared to girls for matriculation certificates made up of 20-25 study units (31% and 27% respectively), a decrease of 3% compared to 2009; However, the rate of girls entitled to matriculation certificate which includes 26-28 study units is slightly higher than the boys (24% and 19%, respectively); the rage of boys entitled to a matriculation certificate with 31 study units and up is slightly higher than that of the girls (30% and 28% respectively). In comparison to 2009, this is a significant increase for both genders – about 20% among boys and 27% among girls. Meaning, despite the improvement in the girls’ achievements, there is still a slight leaning in favor of the boys in the certificate data that is important for the future.
“A good teacher is a teacher for life”

The most common profession among women in Israel is education and teaching. One of every five women who work for pay is employed in the field of education. Women constitute a vast majority in the teaching staff of all education stages, from kindergarten to high school. Women constitute 84.1% of the teaching force in the Hebrew education and 66.5% in the Arab education. The female dominance only grows stronger over the years. In 2000 the percentage of women in the teaching force was 74% and in 2009 it was 76% (the Central Bureau of Statistics, 2009). The percentage of women out of those who work in teaching in the Hebrew education during the last decade was about 99.3% in pre-school education, about 87% in elementary school and about 82% in junior high and high school. The percentage of women among teachers is lower in the Arab education, but there, there is also a rising trend of women participating in the teaching force.

Examination of the transition to management positions out of the total teachers shows that in Hebrew and in Arab educations alike, the percentage of male teachers who transition to management positions (in an annual average) are much higher than the percentage of female teachers in all levels of education. In Arab education, the percentage of women who transition to management positions is constant in all levels of education, and in the Hebrew education the percentage decreases as the level increases.

The portion of women in the teaching force decreases as the education level increases, in Hebrew and in Arab education. Their portion in pre-school education is estimated at 99% in both education systems. In elementary education, women constitute 85% of the teaching forces in Hebrew education and 76% in Arab education. The part of the women in the teaching forces in junior highs is estimated at 81% in Arab education and 63% in Arab education. In high school, women constitute 73% of the teaching force in Hebrew education and 47% in Arab education.

The unit for gender and equality between the sexes in education

The unit for gender and equality between the sexes in the Ministry of Education was established about a decade ago in order to advance the idea of gender equality in the formal education environment. The unit acts in a number of channels to advance gender equality in schools, by itself and in cooperation with other factors. Its programs are concerned with different fields and are deserving and important, but the Ministry of Education does not require all institutions to assimilate the subject in the curriculum.

The activity of the unit for equality between the sexes was intended for the education system as a whole and it initiates programs for the educational staff and the students. Among the activities in
which the unit is involved: the program “Girls and Boys Lead Toward Change”, which was established and is operated in collaboration with the Israel Women’s Network; continuing education programs for teachers; the advancement of girls in mathematics and exact sciences, the advancement of gifted girls; education toward the dignity of man and woman, and more.

**Higher Education**

In Israel, the rate of persons with higher education is almost similar within young and older populations. In contrary, in most of the OECD countries the rate of persons with higher education among the young population is higher/lower compared to the older population. The rate of persons with higher education in Israel (about 43%), is similar to that in the United States (41%). The relatively high rate of people with higher education in Israel can be attributed to the large number of new immigrants with academic degrees, who immigrated to Israel in the last decade.

The rate of persons continuing to study higher education in Israel out of those finishing high school is now on the rise. In 2008 it was about 60%, compared with less than 50% in 2000. In comparison, the average rate of those continuing to higher education in all OECD countries is about 56%. According to the 2010 statistical data, in 2008 about 44% of 12th grade students fulfilled the requirements of the universities. This data splits, of course, according to categories like economic status and national and ethnic attribution, which affect the accessibility to higher education, due to the high tuition and due to minimum requirements. In this manner, for example, 47.3% of 12th grade students in Hebrew education fulfill the requirements, compared with 30.2% of students in Arab education.

According to the data of the Central Bureau of Statistics, as of 2009, in Israel there are about 33,627 persons with a doctorate degree; of which about 20,445 are men (60%) and 13,181 are women (40%). Still, the examination of the distribution of women according to age indicates an increasing trend of young women who continue to doctorate studies.

Among the young population (up to age 54) more women than men have doctorate degrees. But the trend is reversing with increase in age, and among the older population (55 and up), the percentage of men with a doctorate degree is higher than the women.
Gender and the entry requirements

The percentage of 12th grade girls who are entitled to a matriculation certificate which fulfills the requirements of the universities is higher than 12th grade boys who are both in Hebrew and in Arab educations. Likewise, the percentage of girls who study, the percentage of girls who take the matriculation tests, the percentage of those entitled to matriculation certificates and the matriculation achievements among girls are higher than boys. According to the data of the Central Bureau of Statistics of 2009, more than half of the female students in the Hebrew education hold such certificate, compared with only one third of the female students in the Arab education.

The psychometric exam

The average grades of girls’ matriculation is (87.6) is higher than that of boys (85.4), but in the psychometric exams’ grades there is a gap in favor of the boys.

The annual report of the National Institute for Testing and Evaluation reveals that in 2010 about 9% of those tested were men, 56% women and 5% did not report their sex. The average grade for men was 43 points higher than that of the women (a gap of some 0.4 standard deviation). There was a similar gap in previous years. The gap between women and men is smaller when it is examined in each language separately. Among those tested in Hebrew the gap is 40 points, and among those tested in Arabic it is even smaller and is equal to 30 points. Some of the gap between men and women stems, probably, from the degree of representation of men and women among those tested. Since there is a smaller percentage of men who chooses to take the psychometric test, the group of men tested does not constitute a representative sample of men in the population but in fact represents those with higher abilities. However, the percentage of women who choose to take the test is much higher, and so the group of women tested includes those with lower abilities. It was discovered that when comparing the group of all men who were tested to an equal sized group of women (all of which are taken from the upper part of the distribution), the gap between men and women is reduced significantly, and reaches only 5 points (the National Institute for Testing and Evaluation, 2010).

Women who pursue to higher education

One of the accepted indicators to measure the accessibility to higher education is the rate of students who started studying after 6-8 years since they graduated high school. According to
the Central Bureau of Statistics, 8 years after they have graduated the 12th grade in 2002, 38% of the men and 50.6% of the women continued to higher education, of which 15.2% of the men and 22.3% of the women went to university. The rate of women who continued to academic colleges is similar to the rate of men: 14.4% and 14.8% respectively; 6.3% of the women and 1.4% of the men who continued to higher education went to education colleges. The rate of women who have a matriculation certificate in the Hebrew education, who start going to the university within 8 years since they graduate high school, is higher than in the Arab education. Out of the women who graduated high school in the Hebrew education in 2002, about 54.8% of the women continued with their education (compared with 40.5% of the men), out of which 22.5% went to universities. Out of the women who graduated high school in the Arab education that year, 33.2% of the women continued with their education (compared with 22.2% of the men) out of which 16.1% went to universities.

**University level academic qualifications**

In 2009/2010 184,851 BA students studied in universities (not including the Open University) and academic colleges, 103,701 of which were women, who constitute about 56.1%; out of 47,237 master’s degree students, 27,586 (58.4%) were women; out of 10,567 doctorate students, 5,568 (52.7%) were women. The most dramatic change in the field of education occurred among women. In the first years after the State Israel was established, men constituted a majority in universities. The continuous rise in the percentage of educated women brought on a dramatic change, since women have become a majority among persons receiving a BA and have gradually become a majority among persons receiving master’s and doctorate degrees as well.

Despite the encouraging data in relation to the percentage of women receiving degrees in the higher education system in Israel, we need to continue and examine which barriers they encounter on their way and what stands behind the data. In this manner, for example, there is a gap of about 5.5% between women and men in the acceptance rates to a master’s degree. Out of the total applicants to first year in a master’s program during the 2009/2010 school year, about 59% were women and 41% were men. Still, out of the female applicants about 73.8% were accepted and 26.2% were denied, while out of the male applicants the percentage of those accepted was higher – 79.3%, and the percentage of those denied was lower – 20.7% (the Central Bureau of Statistics, 2011, table 8.51).
The women’s part among students in para-medical studies was the highest (82.5%) and it is also high among teaching education (80.9%). However, in the field of engineering and architecture and in the field of mathematics, statistics and computer science, the women’s part was the lowest (27.5%).

Still, a growing increase can be certainly noted of women going into all fields, those perceived in the past as masculine, such as law (50.3%), medicine (54.6%) and business and management studies (48.3%).

**The Academic staff**

The academic institutions are not just institutions for broadening one’s horizons, but also a tool for closing social gaps and insuring the individual’s mobility. In practice, these institutions are of the most unequal institutions in relation to wages in the work market. Most of the students in all levels are women, except for the senior faculty. Women constitute about half of the faculty in the level of lecturer, which is the lowest level of the senior faculty. The higher you go in the levels the lower the percentage of women. In 2009 there were 51.3% female lecturers out of all lecturers, 32.6% senior lecturer out of all senior lecturers, 25.3% associate professors out of all associate professors, and only 13.6% are women out of all full professors (the Central Bureau of Statistics, 2011, table 8.45).

From reading the Academia’s report for the year 5769-2008/2009, we can see that out of 98 members of academia, only 8 are women (about 8%). It should be noted that when selecting new members, in the general assembly in June 2008, all six new members were men. According to the data in the comptroller’s report, the representation of women is lacking in relation to the percentage they constitute out of the academic faculty in Israel as well. In humanities, social science and law, the percentage of women in universities (in level of associate professor and full professor) is 21.5% of all faculty members and in natural sciences, engineering and medicine is 11.5% (Goldschmidt, 2009).

The data of the Central Bureau of Statistics indicates high percentage of women in the level of lecturer and senior lecturer, mostly in humanities, social science and medicine; however, these percentages go down as levels go up.
The percentage of women in universities’ senior faculty, according to level and field of research (2009)

<table>
<thead>
<tr>
<th>Field of study</th>
<th>Full professor</th>
<th>Associate professor</th>
<th>Senior lecturer</th>
<th>Lecturer</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Humanities</td>
<td>24.7</td>
<td>37.7</td>
<td>43.9</td>
<td>55</td>
<td>38.7</td>
</tr>
<tr>
<td>Social Science</td>
<td>17.6</td>
<td>28.4</td>
<td>39</td>
<td>61</td>
<td>36.3</td>
</tr>
<tr>
<td>Law</td>
<td>20.4</td>
<td>28.3</td>
<td>21.6</td>
<td>30.3</td>
<td>24.7</td>
</tr>
<tr>
<td>Medicine and paramedical studies</td>
<td>22.4</td>
<td>29.8</td>
<td>49.5</td>
<td>62.8</td>
<td>38.1</td>
</tr>
<tr>
<td>Natural sciences and mathematics</td>
<td>7.5</td>
<td>22.2</td>
<td>21.2</td>
<td>41.5</td>
<td>16</td>
</tr>
<tr>
<td>Agricultural studies</td>
<td>6.4</td>
<td>27.3</td>
<td>14.5</td>
<td>25</td>
<td>17.7</td>
</tr>
<tr>
<td>Engineering and architecture</td>
<td>12.1</td>
<td>7</td>
<td>23.3</td>
<td>22.6</td>
<td>14.1</td>
</tr>
<tr>
<td>Total</td>
<td>13.6</td>
<td>25.3</td>
<td>32.6</td>
<td>51.3</td>
<td>26.3</td>
</tr>
</tbody>
</table>

8.45 Statistical Abstract of Israel 2011, table

Post-doctorate

The requirement of going abroad to a post-doctorate program, for those who completed a doctorate degree in Israel, constitutes a fundamental block for women in academia, and significantly contributes to the perpetuation of the "glass ceiling". Sometimes, this requirement forces women to choose between an academic career and a family. A research conducted on the subject of women, academia and post doctorate by the Authority for the Advancement of the Status of Women, indicates the existence of this fundamental block, as the women participating in the study indicated themselves. The research included a survey among women who are employed as researchers and lecturers in different levels in universities, funded public colleges and private colleges, as well as interviews with experts in the field. It was found that about 68% out of the women questioned
agreed (agree and strongly agree) with the claim that the requirement to go on a post-doctorate program abroad contributes to the formation of a glass ceiling which makes it hard on women to advance and become integrated in academia. A majority of 56% objected to this requirement as a comprehensive requirement due to family constraints (43%), perceiving the requirement as irrelevant and unprofessional (25%), and the existence of a post-doctorate alternative in Israel (13%).

As part of the research the women were asked to offer alternatives for post-doctorate programs abroad. Their suggestions were: Having post-doctorate programs in Israel (69%), to instruct the heads of the institutions for higher education not to include this requirement as a criterion for promotion (62%), to add academic requirements such as publications (53%), and an active participation in scientific conferences abroad (49%).

Finally, the Authority for the Advancement of the Status of Women recommended a variety of possible solutions to deal with the problem, which are: having a post doctorate in an Israeli institution, intervening through legislation – in the sense of "reverse discrimination" for women, influence for changing and cancelling the customary requirement by putting the issue into public agenda in academia and society as a whole, actions for the empowerment of women on psychological and sociological levels, focused budgeting and assistance in fellowships, economic support, scholarships, and so on, consideration of the time invested by women in birth, parenting, carrying the family burden etc. in the relevant time frame, creating research groups and other research frameworks in Israel, which would be recognized as appropriate alternatives, establishing a network or support and aid centers, and more (The Authority for the Advancement of the Status of Women, 2010a)
Fourth Chapter: Women living in poverty, poor women

Definitions and data

Data collection – gender is transparent

In Israel it is difficult to impossible to present an accurate situation report regarding poor women, despite the central location of women on the poverty map in Israel. The prominent lack of updated and continuous statistical data regarding gender and poverty teaches that the subject is not part of the public agenda. The statistical data is not found in official institutions (for example, the income report of the National Insurance Institute or the Central Bureau of Statistics). Most of the data on poverty relate to households in Israel and are therefore blind to gender divisions, except for the concealed assumption that most single parent families are families in which women are the wage earners. Starting in 2009 the poverty and social gaps reports of the National Security Institute included poverty data of persons distributed by men and women (18 years of age and over). This is a positive trend, but the National Insurance Institute and the Central Bureau of Statistics should allow the public wide access to this data, and execute gender segmentation throughout the database, like distribution according to areas and population groups.

Poverty – a matter of definition?

The National Insurance Institute in Israel is responsible for measuring the extent of poverty. The measuring method is one: the poverty threshold is defined as “the level of income of a family of a certain size, which equals one half of the median disposable income”. Those whose income is lower than half the median income are considered poor. To demonstrate, the average poverty threshold for 2010 was NIS 1,930 a month per person: NIS 2,413 for a person living alone, NIS 3,861 for a two person family, NIS 5,116 per month for a family of three persons, NIS 7,245 per month for a family of five, and NIS 9,170 for a family of seven (Endweld, Barkali, Gottlieb and Fruman, 2011). The National Insurance Institute’s report concerning the magnitude of poverty and gaps in income shows that in 2010 the incidence of poverty of families, persons and children decreased and was 19.8% compared with 20.5% in 2009. During that year there were 433,300 poor families in Israel, in which 1,773,400 persons were living, 837,300 of which were children. This decrease in the poverty incidence of families marks a high level of stabilization and return to the poverty rates of the years 2007-2008.

However, today around the world there are at least 60 tools to measure poverty.
(19.9%), after a temporary increase in 2009 due to recession (Endweld, Barkali, Gottlieb and Fruman, 2011).

In November 2012 the minimum wage for a full time job is NIS 4,300 per month (43 weekly hours) and NIS 23.12 per hour. For those who work 5 days a week, the minimum wage per day is NIS 198.46 and for those who work 6 days a week, the daily NIS 172.

The one-dimensional definition of poverty prevents us from seeing the complete picture of the distress, since those who make a few more shekels than the poverty threshold or do not have any property or cannot provide their children with basic equipment for school are poor, even if they do not fit the limited definition of the poverty threshold. Likewise, defining poverty in relative terms sharpens the inequality element in the society: a woman will be considered poor the more she moves away from the average income in her environment. The organization Latet presents the alternative poverty report annually, and focuses on the proposal of an alternative way to measure poverty, which is based on five parameters which are in terms of a group of basic rights which enable living in dignity: employment, education, housing, health and food. The data of the Latet organization’s survey shows that among a representative sample of the total persons who receive aid from nonprofit organizations, soup kitchens, welfare departments and food distribution centers across the country, about 67% were women compared with 33% men (Latet, 2011).

**Women in poverty**

In 2010 there were 433,300 poor families in Israel, in which lived 1,773,400 persons, of which 837,300 were children. The poverty data of persons in gender distribution (age 18 and up) indicates higher poverty dimensions of women compared to men. In 2010, the poverty incidence of women was 19.9% compared to 18.2% for men. Between 2009 and 2010 the incidence of poverty of men decreased from 18.8% to 18.2%, and the incidence of poverty of women remained unchanged. When measuring according to income – income whose source is at the labor market, the gaps are even larger – 31.3% for women compared with 26.7% for men (Endweld, Barkali, Gottlieb and Fruman, 2011).

From the data presented in table 1 we can see that about one fifth out of all women are defined as poor, and totally more than half a million women over the age of 15 live in poverty. According to the data of the National Insurance Institute, the number of persons living in poverty increased from 924,500 in 2009 to 936,100 in 2010. No accurate data was found regarding the distribution of men and women, but due to the data regarding the incidence of poverty we can assume that the definite numbers have not changed significantly since 2005, when the poor men and women rate in Israel
was 944,300 men and women, out of which 507,500 were women and 436,800 were men. This teaches us that in practice there are more poor women than men. The data of the Central Bureau of Statistics also teaches that women are at greater risk of living in poor households. In Israel in 2009, 26% of all women ages 18-64 were at risk for poverty, compared with 25% of the men at these ages. This pattern exists in most of the European Union countries (except for Finland, Denmark and Sweden). The average rate of women at risk for poverty in the European Union in these ages was 16%, compared with 14% of the men. One of the reasons for this is the high incidence of women who stand at the head of single parent families. In 2009, the rate of single parent households with dependent children who are at risk for poverty was about 39%. In the European Union their rate was an average of 34%. In 2009, 91% of Israeli households with one adult with children, were households of single mothers. In Israel, 45% of these families are poor (the Central Bureau of Statistics, the face of society in Israel, report no. 4). The Central Bureau of Statistics’ unemployment data survey from 2010 shows that the unemployment rate of women without children is higher than the unemployment rate of mothers, but mothers to children tend to work part time in similar rate to that of women without children (33.8% and 33.4% respectively).

Moreover, the part time employment rate among mothers becomes smaller the lower the number of children: from 50.5% among mothers to four or more children to 37.1% among mothers to three children, to 30.8% among mothers to two children and to 30.4% among mothers to one child (Human Resources Survey, 2010: table 6.1).

Traditionally poverty rates are linked to unemployment rates. Unemployment is perceived in the public consciousness as the main factor of poverty. However, in the last years, due to the expansion of the manifestation of “poor workers”, it becomes clear that employment is not necessarily enough to get out of the reality of poverty. The data of the annual survey of the National Insurance Institute for 2010 shows that about 50.6% of persons living in poverty live in working families. One wage earner is not enough to get out of poverty: in one third of the families who live in poverty there is at least one wage earner (Endweld, Barkali, Gottlieb and Fruman, 2011). This sad picture indeed influences men and women as one, but the “poor workers” phenomenon has two main reasons, and they both have clear gender characteristics. Firstly, getting out of poverty depends of the quality of the salary and the terms of employment. Women are averagely paid less than men: in a monthly calculation, women’s wages is 63% of men’s wages, and in an hourly calculation, their wages are 83% that of men’s. Therefore it is clear that women also have a central place among the “poor workers” population in Israel. Moreover, the policy of privatization – in which the State’s power as an employer is reduced in favor of the business sector – contributes to harmful terms of employment,
and especially toward women. Women constitute about 60% of the human resources in ministries of the government. In the last years the human resources employed directly in ministries of the government and in banks was reduced, and women were the main persons who were hurt from the massive layoffs (Adva, May 2006). Some of the standard positions canceled became employed through human resource companies, (about one third of the employees in the government ministries are employed through private human resource companies). In this condition the employment security in the workplace is damaged, and the ability of the workers to unionize is damaged as well. These conditions limit the ability of the workers to negotiate their terms, and in the long run they bring about a decrease in wages. Secondly, the expenses of a household with children are considerably larger than those in households with no children. The irony of fate is that sometimes the care of the children, which is necessary in order to enable getting out of the house to work and earn wages, entails high expenses, which in cases of minimum wage, and especially in cases of part time jobs, can be higher than the disposable income. This explains why mothers to children are poorer than women without children, despite them being employed with pay in a higher rate in average.

The “general” economic policy of the government is blind to gender and does not examine the damage to women due to their strategically lower status in the economic structure. Policy in issues of privatization, employment, minimum wage, taxes and pension affects women differently than men, and for the worse. This gender blindness while making economic policy encourages the admission of new women into the cycle of poverty, and blocks the possibilities to get out of it.

**Poverty and government programs for poverty alleviation**

It is acceptable to think that the extent of poverty and its depth are affected by three types of causes: economic and structural causes, demographic causes, and social policy (Shtayer and Levin, 2000). Even so, separating these three causes may blur the fact that government policy in social issues (which is not always “social”) leaves demographic and economic gaps between men and women from different populations intact. The depth of this section is limited and so we will focus on policy, but we will base our findings on economic-structural data and demographic data.

**Policy aimed at treating the economic factors of poverty – a gender perspective**

The demographic causes for poverty stem from the differences between social groups and the level of their economic vulnerability, due to inequality in their accessibility to employment, education and additional resources which contribute to social and economic mobility. These groups are, for example, elderly persons (distinguished from young persons), women in general and women who
manage their household alone in particular, the group of Arab persons, Mizrahi persons [Jews from mostly Arab-ruled geographies and adjacent, primarily Muslim-majority countries], migrant workers and immigrants in general. This way, for example, we can see that the poverty rate among young women (until the age of 34) is higher than the poverty rate among the rest of the age groups in the population: 23.8% of all women in these ages live in poverty. In “second place” there is a group of women who passed the retirement age: over 20% of them are poor.

According to the data of the National Insurance Institute of 2010, in the youngest age group, in which the head of the household is under 30, there is worsening in the condition of poverty, in continuance to the worsening that occurred in 2009: the poverty incidence of families increased from 26.1% to 26.8%, and completed during two years an accumulative worsening of 2.4 percentage points. The severity of poverty and depth of poverty increased in this group as well (Endweld, Barkali, Gottlieb and Fruman, 2011).

The State can take care of these causes and reduce economic and social inequality through the mechanisms of a welfare state: providing services (such as education and health) and direct payments (such as National Insurance Institute pensions and birth packages). A gender aspect can be pointed in each one of the mechanisms of a welfare state, and illuminate political influences of women in every area. This way, for example, in the field of service providing, women are the main ones hurt by the raising of prices of medicine in the health maintenance organizations, since women need health services and health products more than men.

Benefits: unemployment

The number of persons receiving unemployment allowance in Israel in 2011 was estimated at 57,349, 53% of which were women. For comparison, the number of persons receiving unemployment allowance in Israel in 1995 was estimated at 61,500 man and woman, 49% of which were women. The number of persons receiving unemployment allowance in 2005 was estimated at 58,900, 51% of which were women. This means, that we can indicate a decrease in the number of persons receiving unemployment allowance, and an increase of the percentage of women among them. As expected, the offered unemployment allowance for a woman was lower than for men by 20% (Toledano, 2012).

The sharp decrease in the number of persons receiving unemployment does not indicate an improvement in the employment market, but indicates the criteria for receiving unemployment allowance becoming stricter. Since 2002 the government has worsened the conditions of eligibility to unemployment allowance in general and during professional training in particular. This policy was designed to reduce the expenses on unemployment allowance, but it does not give response to the
The integration of the unemployed into the working market. The changes in law stem from economic calculations, which ignore the purpose of the unemployment insurance.

The unemployment rate among women who participate in the civil work force in Israel in 2011 was 6.5%. The unemployment rate among women ages of 25-54 (the main working age) who participate in the civil work force was estimated at 5.8%. If we examine the part of unemployed women in the civil work force (those who are considered requiring work and those employed), we will find that within their reference group, Arab women are unemployed in higher rates. The unemployment rate among Jewish women is estimated at 6.3%, while the unemployment rate among Arab women is estimated at 8.8%. In other words, among this group the rate of women requiring work for which there is no paid employment is higher.

Single parent families and poverty

Similar to the western world, in recent decades the phenomenon of living in single parent families has been expanding in Israel, following the increasing divorce rate and due to the rise in births by single women who choose to have a child without a partner. In the last few years there is a substantial increase in the number of single parent families in Israel: from about 4% of all families in the 1970s to 8.6% in 1995 and 9.9% in 2001 (Swirski et. Al, 2002). In 2010 the number of single parent families in Israel has reached 129,000, which was 12.4% of all families with children in Israel, and the number of children in them reached 215,477, which was 8.6% of the children in Israel. At the head of the single parent families there is usually a woman; only at the head of 3% of the single parent families there is a man. Therefore, we need to remember that when speaking of single parent families we usually speak of households with a woman at their head. In a single parent family, the ability of the only wage earner to earn money is limited, which puts the family, usually, in a lower income level than that of a family with two working parents. Likewise, due to the lower wages of women, a livelihood that depends only on a woman puts the family at risk. Therefore, mostly, their economic condition is more difficult and their part among poor families is much larger than their relative part in the population (Toledano and Eliav, 2011). In 2010, the poverty rate of single parent families reached about 30%, compared with 25% of the families with two parents with children, despite the fact that 80% of single parent families are working families. For these reasons, social policy makers in Israel and the world focus their attention on this group and in finding solutions for its special condition (Toledano and Eliav, 2011). In 2010 there was an improvement in the poverty incidence of single parent families, after it experienced a rise in 2009, probably due to the recession, of 3.5 percentage points. In 2010 the poverty incidence decreased to 30.5% (compared with 32.3% in 2009). This improvement was a combined result of the market forces and pension payments. The
poverty incidence substantially decreased among single parent families, from 49.3% to 46.9%, probably because of a renewed entrance of single mothers to the work force and due to an increase in the financial support from different sources (Endweld, Barkali, Gottlieb and Fruman, 2011).

Most of the rights a single mother has are arranged within the framework of benefits and pensions of the National Insurance Institute and in the Single Parent Family Law, 5752-1992. But it is a mixed blessing: this law was a double edged sword for women interested in getting out of the unemployment cycle. The law stated that a single mother (like every person receiving guaranteed minimal income) who is interested in obtaining education or a profession in order to improve her chances of finding a job, needs to waive her guaranteed minimal income. For this reason, single mothers had to choose between a possible future income and a guaranteed present income. Due to this obstacle, women in single parent families chose to remain in the cycle dependent on pensions. Paradoxically, the payment transfer mechanism which was designed to fight poverty, blocks the opportunity to get out of poverty through a paying job. The Alimony Law, 5732-1972 states that women who work and earn over the ceiling recognized by the National Insurance Institute (minimum wage) are not entitled to alimony from the National Insurance Institute.

In 2009, the unemployment rate among single mothers was between 9.8% among mothers to one child and 19.2% among mothers to three or more children. In 2010, the unemployment rate among single mothers was between 9.2% among mothers to one child and 15.3% among mothers to three or more children. In comparison to 2009, the unemployment rate of single mothers was reduced in 2010 in each of the three groups. This data indicates that in 2010 there was an improvement in the ability of single mothers to go to work for pay, in comparison to the years before, nonetheless, we need to remember that, as we showed above, going to work for pay does not always mean getting out of poverty, and sometimes the wage is only a little higher than the pension. As stated, there is a lack of additional data and lack of gender segmentation. The data shows that demographic factors influence poverty and employment possibilities. This way, for example, the unemployment rate among women without children is higher than the unemployment rate among mothers, except for single mothers. Even so, the population of mothers tends to work part time due to taking care of the children and in direct relation to their number, as opposed to women with no children. As another example we brought the population of Arab women, in which the unemployment rate is higher than in any other population of women, and of the unemployment rate of Arab men, despite the growing education rates. Therefore, the government should give national priority to closing the gaps between the different populations in the country.
Fifth Chapter: Women's representation – the reality and the ideal

Women in Public Office

Equal Representation

The duty to insure equal representation has been enshrined in law. The written law cannot protect women's right to equal representation without the interpretation provided by the courts insuring that the letter of the law is implemented.

In 2011, a number of amendments to the Women's Equal Rights Law - 1951 were proposed by various government committees. First, a committee of inquiry was established as an official government committee whose members are public officials. Furthermore, government and public committees and task forces appointed by the Prime Minister, any Cabinet minister, or head of a Cabinet ministry, were mandated to assure equal representation to women.

In addition, the law was expanded to promote the equal representation of women in committees, The Authority for the Advancement of Women in the Prime Minister's Office will develop a database of available women with the skills, capabilities and experience to serve on public committees.

In 2011, Authority for the Advancement of Women announced the establishment of a data-base of which includes the names of over 1,400 women willing and able to serve on public boards of directors. This database has enabled the Commission to provide eligible candidates upon request. (Authority for the Advancement of Women, 2011).

Women in the Executive Branch

The 32nd term of the Israeli government which ended in January 2013 included 29 ministers, among them 3 women ministers and 2 deputy ministers. Some ministers held both positions simultaneously. Women's share of government stood at 10%. The main ministries where women were appointed included: The Ministries of Education, Communications, Foreign Affairs, Industry, Trade and Labor and Environmental Protection. A woman has never served as a minister at a prestigious office such as the Ministries of Public Security, the Interior, National Infrastructure, or the Treasury, . During the last government’s term, women were ministers of minor offices such as: The Ministries of Culture and Sport, Agriculture and Rural Development, and Immigrant Absorption.

The 2009 Election: a female candidate for Prime Minister

The 2009 election did not prioritize gender issues. However, one of the candidates for Prime Minister was a woman, since these elections were largely determined by the candidates' personal qualifications, public debate included gender issues. We can see this from an analysis of the media representation of Tsipi Livni, who ran for office as head of the Kadima party (Gedalia, Herzog & Shamir 2011). As the campaign began, both leading contenders - Benjamin Netanyahu and Ehud Barak - underestimated Livni's public appeal. They assumed that as a woman, she would be
perceived as unsuitable to the role of Prime Minister. Moreover, the Kadima party wished to run a gender-blind campaign, worrying that focusing on the sex of their candidate would hurt her chances. "The gender issue that surfaced during the 2009 election is notable, since it served to heighten gender awareness among women voters; this was expressed in the public discourse and Livni’s subsequent reversal of attitude towards this issue, and in the "gender gap" in the election results (Gedalia, Herzog & Shamir 2011, page 262).

Women in the Knesset

Israel’s 18th Knesset includes a record-breaking 21 women MK’s, 17.5% of the 120 Knesset members. After certain internal party changes, this figure increased to 24%, or 20% of all members. Despite this increase, Israel does not offer any legally-binding incentive for increasing women’s representation in politics.

The percentage of women belonging to left-wing parties has historically been higher than for other political parties. This changed in the 16th Knesset, when the number of women who were members of right-wing parties nearly doubled, so that the number of right-wing women MK’s now surpassed the number of left-wing women MK’s. In the 17th Knesset, the number of women MK’s from the center-right parties (Likud, Israel Beiteinu & Kadima) stood at ten MK’s, as compared to six MK’s from the left (Meretz and Labor) and one woman MK from the Pensioners’ party. In the 18th Knesset, there are 21 women serving from the center-right parties, and only 3 women from the left-wing parties. This could be attributed to the drop in public support for left-wing parties, which were reduced in size to a third of all other parties. Chanin Zuabi, from the National Democratic Alliance (Balad) is the first woman MK from an Arab party.

In June 2012 a law was passed by the Ministerial Committee for Legislation, to encourage women’s representation in political parties, despite the objections of the Ministers of Justice and of the Treasury. The amendment was introduced by Tsipi Chotobelli, the Chairwoman of the Committee on the Status of Women and MK Anat Wolf. This bill had previously been introduced in the 15th, 16th and 17th Knesset by different women MK’s including Galia Gamliel, Yael Dayan, Sofa Landver, Naomi Hazan, Nehama Ronen, Colette Avital, Marina Solodkin, Zehava Galon, Orit Noked and Eti Livni. According to the new law, a party with over 35% women members would be eligible for additional funds. The amendment stipulates that a sum of 5 million NIS would be divided among all the eligible parties, making it a non-budgetary amendment. The amendment also stipulates that when the number of women MK’s reaches 40%, the amendment will be automatically invalidated. The purpose of the amendment is to encourage all parties to insure equal representation of both sexes in their party lists. Currently, no party has reached a 35% rate of representation for women. The amendment differs from its previous incarnations, not penalizing parties for not reaching equal representation, but instead offering incentives to parties who do insure equal representation. Thus, the equal treatment of all political parties is maintained.

Another trend of note in the 18th Knesset is the rise in the number of younger women among the MK’s. The age range of women MK’s in the 18th Knesset is 33-64 years of age. The average age has dropped to 50, as compared with the previous Knesset, where the average age was 54. Half of the women MK’s serving in the 18th Knesset are under 50. Moreover, during the 18th Knesset, two pregnant MK’s served their full terms: Anastasia Michaeli (Israel Beiteinu) and Gila Gamliel (Likud). In May 2009, following a petition of the Israel Women’s Network, the Ethics Committee headed by
Shelly Yehimovitch, determined that women MK’s are entitled to the same maternity leave as any other public employee.

**Gender Legislation**

The "Gender Impact" Law came into effect on the 25th of January 2008. It mandated the Authority for the Advancement of Women to submit an expert opinion on each bill introduced in the Knesset. This approach assumes that public policy affects women and men differently, based on their gender roles, and the inequality in access to decision-making roles and budgetary allocations. The gender analysis is meant to determine the different impacts that government policies could have on men and women in society. The Authority must analyze all the private and government bills introduced and predict their impact on the advancement of women and gender equality. In 2010, there were 77 Gender Impact Reviews undertaken, and 69 of those were officially submitted (Authority for the Advancement of Women, 2010).

**Women in Local Authorities**

There is a distinct lack of political participation among women in Israel. While women's representation in local politics shows a positive increase over time, on a national scale, women's representation hasn't improved much over time, and such changes which do occur are the result of election results and interparty bargaining. Additionally, it is difficult to find data on the number of women serving on municipal councils in Israel, since the Union of Local Authorities and the Local Government Administration of the Ministry of the Interior to not collect this data (Ben-David and Almagor-Lutan, 2009).

In 2011, out of 256 local authorities, only five authorities (or 2%) were headed by women. The women are: Miriam Fireberg-Ikar in Natanya, Yael German in Herzliya (both serving in this post since 1998), Flora Shushan in Mitspe Ramon, Sigal Moran in Bnei Shimon and Tali Ploskov in Arad.

However, the percentage of women serving in local authorities has been steadily rising. In 1965, women made up a total of 3.1% of those elected to local authorities, and there were only 27% women serving on local councils. By 1989, the rate of women in local authorities had gone up to 8.5%. In 1993, the rate of representation reached 10.9%, and in 1998, this rate reached 15.4% of women represented in local authorities, of these, 88.8% in Jewish councils (57.1% out of all local councils). In 2003, the rate of women stood at 12%, of these, 82% in Jewish councils and 4% of the Arab councils. In the Jewish councils, women's representation stood at 15.7%. In 2009 data was collected by the Knesset's Research and Information Center, which analyzed 209 local authorities out of the 205 existing ones. They found that in 79 authorities, comprising 38% of all the authorities analyzed, there were no women council members. Women made up to a third of council members in only 11 authorities, which was a mere 5% of all local authorities. The highest percent of women council members was found in Ra’anana, where 9 out of the 19 council members were women(47%). In the Arab authorities, the rate of women's representation was lower than in Jewish authorities. Most authorities where women have no representation as council members are Arab councils (54 out of 79). Overall, there were six Arab council women serving in three local authorities. It should be noted, however, that the Arab town of Jesh has one of the highest levels of representation in the sector, a full third of serving council members being women (Ben-David & Almagor-Lutan, 2009).
During the last local council elections (2008), only women's representation stayed at 13%, and there was no rise in representation when compared with the last elections (IWN, 2011). In 2010, the number of women in local councils stood at 11.5%. Women's representation is over 40% in only 3 local authorities.

Analysis of women's representation on local authorizes councils according to districts shows that in Tel-Aviv, the percentage of women on councils is highest (17.5%), followed closely by the Central District. The district with the lowest percentage of women serving on councils is the North District (6%). This may be attributed to the large number of Arab authorities which can be found in both the North and the South Districts (8.2% council women), as in 82% of Jewish authorities women were elected as opposed to only 4% in Arab authorities (Zarkor, 2004). In 2011, there are 376 women elected to public roles in local authorizes out of 3250 total post holders, which is only 11.5% of all those elected.

**Directorates of Government-Owned Corporations**

Between 1993 and 2010, a significant rise of 36.4% occurred in the number of women serving on directorates of government-owned corporations.

**Arab women on government-owned corporations**

As of August 2009, there were 48 Arab members of boards of directors, of which only 16 were women, in a total of 44 government-owned corporations. The percentage of Arab women board members out of all women board members is still low, and stands at only 6.9%.

**Directorates of publicly-owned companies**

Legislation governing publicly-owned companies (whose shares are traded on the stock market), is limited, and focuses on external directorates. According to the Companies Act of 1999, a company that appoints an external directorate with only members of one sex must automatically appoint a director of the other sex. The enforcement of this law rests mostly on internal and civilian mechanisms.

Over the past few tears, the number of women on public directorates has doubled. In 2006, the CEO of the Association of Public Companies (Gad Suan ADV) estimated that the number of women directors stood at 205, and made up only 15% of the total directors on publicly-owned companies. According to data collected by the Knesset's Research and Information Center, the percentage of women on these boards has risen slightly, and stands at 748 women out of 4,431 directors (as of 2010), or 16.9%. Out of all the directors serving on boards of publicly owned companies, 308 are external directors (i.e., they are voted in by a general assembly of shareholders). The percentage of external directors stands at 41% out of all serving women. By comparison, among male directors, the rate of external directors stands at 21%. The percentage of women serving on publicly-traded companies is much lower. In 122 publicly-owned companies, there are no women serving on directorates. In 26 publicly owned companies, women make up 50% or more of the board members. In 6 out of these, the board is only made up of two members and there are not enough external directors. The rate of women serving on publicly-owned companies is lower than that of women on government-owned corporations, which is in direct violation of the law. This serves as a testament to the efficacy of legislation and affirmative action.
In January of 2011 the government proposed an amendment to the Companies Bill (Amendment 14, 2011) which stipulated that publicly-owned boards whose chairman of the board of directors is of the other sex (generally a woman) and is either the owner or the relative of the owner, the company must appoint an external director of the same sex (e.g. a woman) who is not an owner or a relative of an owner. This amendment was meant to insure that women directors will be appointed based on qualifications and merit (Almagor-Lutan, 2011a).

**Women in Civil Service**

In December 2009, there were 54,824 women in the civil service., or 65% of all civil servants, a figure similar to previous years. The rate of Arab women was only 3% of women employed in the civil service (Lutan, 2010b). At all educational levels, except doctorates and the category "other", women had a higher rate of representation than men.

The majority of women serve in the following posts: nurses, biochemist and microbiologists, social workers, attorneys, lawyers and managers. There is some increase in women serving as engineers, academics from the social sciences, and lawyers. At the end of 2009, women’s share of senior positions was 47%.

The percentage of women in the civil service who have a senior contract has been stable over the years, at 30% in 2009 (as opposed to 26% in 2003). In official positions, women have a relatively high share of 58%. As for the rest of the senior positions, women's share is still relatively low. Among legal advisors women made up 40% (a 1% drop), and among those with senior contracts, women made up only 28% (a 2% rise in 2009 compared to 2008). Among new CEO's, women’s share was 13% (a 4% drop in 2009 compared to 2008).

**Women's Participation in the Israeli Labor Market**

The number of civilian participants in the labor force was 3,147,100 in 2010, and women made up a total of 1,482,800 (men made up 1,644,300). The relative percentage of women in the civilian work force rose slightly in 2010 compared with 2005, and stood at 47.1%.

In 2010, the rate of women's participation in the civil workforce rose compared to 2005 (50%), and stood at 52.7%. The rate of men's participation in the civilian workforce also rose compared to 2005 (60.7%), and stood at 62.2%. The rate of participation of women in the civilian workforce has been on the rise in the years 1995-2010, and gaps have been closing steadily.

Analysis according to age groups shows that 73% of the 25-54 age group are in the workforce, and 63% of the 55-59 age group is in the workforce, while 44% of the 60-64 age group is in the workforce and 18% of the 65-69 age group is in the workforce.

**Women's Participation in the Israeli Labor Market**

In 2010, the rate of participation of Jewish women (out of all women) in the civilian workforce in Israel rose slightly compared with 2005 (55.8%), and stood at 58.8%. The rate of Jewish men (out of all men in the civilian workforce rose as well when compared to 2005 (60.7%), and stood at 62.4%.
In 2010, the number of Jews in the civilian workforce in Israel stood at 2,656,700 men and women; 1,328.00 were women and 1,328,700 were men. Women's share of the civilian workforce among the Jewish population stood at 50%.

The rate of participation of Mizrahi women was 59.7%, and of Ashkenazi women 55.9%. Foreign-born Mizrahi women was 38.3%, and native-born Mizrahi women was 74%. Foreign-born Ashkenazi women were 51.1% and native-born Ashkenazi women born in Israel were 65.4%.

In 2010, new immigrant women (immigrating after 1990) in the civilian workforce in Israel stood at 61.2%, and new immigrant men was 65.6%. Jewish women with ten or more years of schooling increased their rates of participation as compared with men. These gaps grow more pronounced when looking at women with 16 years or more of schooling. In absolute terms, among those with 13 or more years of schooling, women make up the majority of the workforce. Moreover, there is a noticeable majority of women with 16 years of schooling in terms of workforce participation as compared with men.

**Arab Women's Participation in the Labor Market**

In 2010, only 22.5% of Arab women of working age took part of the workforce (a slight rise from 2005, when 17.8% of Arab women took part in the workforce), in comparison to 58.8% of Jewish women of working age. The rate of participation of Arab women in the workforce stands at 22.5%, while the men's rate which stands at 59.9% (a slight rise from 58.9% in 2005).

The number of Arab men and women who participate in the Israeli workforce stood in 2010 at 407,800, and of those, 110,900 were women and 296,900 were men. Arab women's share of the workforce in 2010 stood at 27.2%, which is slightly higher than 2005 (22.8%). Education is a critical factor in determining Arab women's workforce participation: 72% of all Arab academic women are employed, as compare with 22% of all Arab women. The level of employment among Arab academic women is similar to that of Jewish academic women.

According to a workforce study from 2009, women make up 22.3% (66,000) of all workforce participants from Muslim populations in Israel; 43.6% (36,400) of workforce participants from Christian populations; and 28.2% (8,900) of workforce participants from Druze populations.

72% of Arab women with 16 years of schooling participate in the workforce, compared with 47% of women with 13-15 years of schooling. Also, the data reveals that there is a 10-30% gap between the different age groups in terms of Arab and Jewish women's workforce participation, but this gap shrinks to only 6% among women with 16 or more years of schooling.

**Participation of "Other" Women in the Labor Market**

The percentage of women who participated in the workforce who are neither Arab nor Jewish (according to the Central Bureau of Statistics), stood at 64.7% in 2010. The percentage of "other" men in the workforce stood at 73.4%. This rate is not significantly different from 2005 levels.

In 2010, the number of "other" workforce participants in Israel stood at 82,600 men and women, while women made up 43,900 and men made up 38,700 of those participants. The share of "other" women in the workforce in Israel in 2005 stood at 53.2% as compared with "other" men (46.8%).
**Female Unemployment**

The rate of women's unemployment in 2010 was slightly lower than that of men: 6.5% compared with 6.8%. The unemployment rate of workforce participants in Israel dropped in 2010 to 6.5% compared with 2005, when it stood at 9.5%. Between 1955 and 2005, the rate of women's unemployment stayed consistently higher than that of men. From the early 80's to the early 90's, women experienced a steady rise in unemployment rates. In 2010, women's unemployment dropped, and the gap between men and women began to close. This data does not include women who are not part of the civilian workforce, i.e. students, housewives, people who are unable to work, pensioners and soldiers. The rate of unemployment among Jewish women stood at 6.3%, while the rate of unemployment among Arab women stood at 8.8%. The rate of unemployment among 25-54-year-olds who are workforce participants stood at 5.8% (a drop of 3% from 2005 rates). The number of women who are seeking work at government job centers stood in 2010 at 205,869 men and women, of those 117,717 were women and 88,152 were men. The share of women job seekers stood in 2010 at 57.1%.

**Working Hours and Employment Types**

One of the main indicators of women’s status in the workforce is the number of working hours and the types of employment contracts offered. Throughout the years, the levels of women working part-time jobs has remained consistently higher than men. The number of part-time employed people in Israel has grown steadily since 1975 among both sexes, and reached its peak in the 80's. From the early 90's to the present, there has been a steady decline in the number of part-time employees. In 2010, 37% of employed women worked part-time, as compared with 17.7% of men.

The percentage of women who working part-time is twice as high as those working full-time: 37% and 17.7% respectively. Men and women choose part-time work for different reasons. In 2010, the most common reason women gave for choosing part-time work was failure to find full employment or as an extra job. In contrast, the most common reason men gave for choosing part-time work was studying. The second most common reason women chose part-time work was due to concerns of house- and child-care. 17.9% of women, as compared with 0.6% of men, cited house- and child-care as a reason for seeking part-time work. There is also part-time work which is actually considered full-time, e.g. a full-time job with short working hours (such as public-sector teachers).

**Absence from Work**

In Israeli society, women are still called upon to fulfill both their roles as providers and mothers. The data suggest that women in Israel do their best to live up to both these expectations. The double burden, which often creates conflicting responsibilities, leads more women to miss workdays than men. Of all the employees who were temporarily absent from work, women's rate is much higher than men’s: 62.8% and 37.14% respectively. 60% of women and 62% of men were absent due to vacation time, 21% of women were absent due to maternity leave and women took more sick leave than men.

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10 According to the Central Bureau of Statistics, the term 'unemployed' refers to those unemployed in the Civilian workforce.
**Women's Status in the Workforce**

In 2010, 92% of all women in the workforce were salaried employees, as compared with 83% of men. These figures match those of 2005.

The rate of women employers in 2010 is 4 times lower than the rate of men employers, 1.5% and 6.6% respectively. In addition, the rate of self-employed women was twice as low as the rate of self-employed men: 5.7% and 9.6% respectively. However, the rate of self-employed women did rise when compared with 2005 levels (which stood at 4.8%).

Data indicated that the rate of women in family businesses who are employed without remuneration is three times higher than the rate of men: 0.3% and 0.1% respectively. This workforce status has a significant impact on the level of women's economic independence. Unremunerated work in family-owned businesses intensifies women's dependence on their spouses and their families.

The number of employers in Israel in 2010 stood at 123,220 women and men, while women made up 20,800 of those employers and men made up 102,420. Women's share of employers stood at 16.88%.

The number of self-employed people in Israel in 2010 stood at 227,970 men and women, among those 79,000 were women and 148,970 were men. The share of women self-employed stood at 35%, which is a 4% rise when compared with 2005 levels (31%).

Between the years 1975-2010, the share of self-employed women rose, and the rate of self-employed women in 2010 is 3% higher than it was in 1975, 35% and 11% respectively. In addition, women's share among employers has grown, and in 2010 was twice as high as it was in 1975 – 17% and 7% respectively.

**Vocation**

One-fifth of all employed women are in the education sector, while one-fifth of all employed men are in the manufacturing industries (mining and factories). The percentage of women who are classified in education, health, welfare and care sectors among all employed is four times higher than men in these sectors. The percentage of women who are employed in household services is nine times higher than that of men. The percentage of women who are employed in the banking, insurance and financial sectors is twice as high as the percentage of men. The percentage of women who work in public, community, social and other services is the same as that of men.

The percentage of women who belong to the construction sector is one-tenth that of men. The percentage of women who are employed in agriculture is one-third that of men. The percentage of women who belong to the water and energy sectors is one-third that of men. The percentage of women who belong to the manufacturing, transport, communications and storage is half that of men. The percentage of women who belong to the trade and service sector is only slightly lower than that of men.

36.9% of all employed Arab women are employed in the education sector. This rate stands at 19.3% for Jewish women. The percentage of Arab women who work in agriculture is four times higher than that of Jewish women. The percentage of Arab women who belong to the health, welfare and care
services is slightly higher than that of Jewish women. The percentage of Arab women who belong to the manufacturing, trade and service industry, community services, social personal and other services and household services, is only slightly lower than that of Jewish women.

The percentage of Jewish women who belong to the transport, communication, banking, financial services and storage industries, and business and public sectors, is twice as high as Arab women.

Women make up most of the employed in these professions: clerks, creative and technical occupations, business and service agents. In contrast, men make up most of the employed in these professions: professional agricultural labor, managers, unskilled labor and academics. 25.9% of women are employed in secretarial roles. This rate is three times lower for men. 29% of all men work in manufacturing and construction industries. This rate is nine times lower for women.

The rate of women who are employed as academics is the same as the rate of men – 15.2%. The rate of women who are employed in creative and technical occupations is almost twice that of men – 19% and 11.8% respectively. The rate of women employed as business and service agents is higher than that of men: 24.3% and 17% respectively. The rate of women who are employed in unskilled labor is slightly lower than men: 7.2% and 8.3% respectively.

The same rate of Jewish and Arab women are employed in academic roles, and as sales and service agents. 5.3% of all Jewish women are managers in contrast with 1.1% of Arab women. The percentage of women employed in clerical jobs is higher than those of Arab women: 27% and 16.2% respectively. The percentage of unskilled Arab women laborers is higher than that of Jewish women: 11.1% and 6.2% respectively.

Analyzing "other" working populations, based on a 2009 workforce study, shows significantly different rates. The percentage of women who are employed as academics among "other" populations is 5.8%, which is significantly lower than both Arab and Jewish women. The percentage of those working in creative, technical and managerial roles (16.5%) and those working in clerical jobs (13.2%) among "other" women is significantly lower than the rates of Jewish and Arab women in these jobs. In contrast, the rate of "other" women working as business, sales or service agents is significantly higher than both Arab and Jewish women at 30.6%. Among "other" employed women the rate of employment in agriculture, industry and construction is four times higher than that of Arab and Jewish women at 13.3%. The rate of unskilled "other" women is twice as high as that of Arab and Jewish women.

The most common profession of women in Israel in 2009 is education and care work. 10.5% of all women employed in Israel are teachers, kindergarten teachers or care-workers. In contrast, among the most common occupation is "driver" involving 6% of all men. In addition to care work, women are more likely to be employed as clerks, sales agents, models, cleaners and kitchen and laundry workers. The most common professions among men include engineering and architecture, senior management, electricity and electronic, and sales.

Women in the high-tech Industry

In 2010, the number of people working in high-tech industries as salaried employees in Israel stood at 261,100; of those 93,000 were women and 168,000 were men. of the rate of women working as salaried employees in the industry stood at 35.6%, which is a 1.5% increase from 2005 (34%).
Between the years 2000-2010, the percentage of women employed in high-tech industries ranged between 33% in 2004 to 36% in 2006.

Women in Medicine

According to a survey conducted by the Ministry of Health in 2009, women made up 47% of doctors (a 2% increase from 2004). Women’s share of specialists was 35% (a 2% increase from 2004). Women make up 41% of all dentists (4% increase from 2004) and 29% of all specialist dentists (4% increase from 2004). Women make up 57% of all pharmacists (a 1% drop from 2004). Evidence suggests that men are leaving the medical profession. This feminization of the profession inevitably leads to worsening employment conditions, and a devaluation of the entire sector.

Women Employed Through Employment Agencies

A large portion of contract-workers are employed in the public sector. Their low pay and lack of benefits stem from the public tender which looks for the lowest bids, without addressing the employment conditions provided by the bidding companies (Dagan-Buzaglo, 2007). Contract-workers suffer from low pay and no benefits, and they are subject to numerous workplace violations, especially relating to overtime, annual leave, sick days and convalescence pay (Abachsara, Beker & Cohen, 2006). The data provided by the Central Bureau of Statistics indicate that the number of contract-workers who are employed by sub-contracts in "security and maintenance" and "home care services" rose from 122,000 in 2009, to 128,000 in 2010. A high percentage of workers in maintenance and household care are women. Contract-workers receive their pay from the employment agency, while their work place is responsible for their job performance. The number of contract-workers in Israel stood at 40,900 men and women in 2009, of those 21,900 women and 19,000 men. Women make up 53.5% of all contract workers in Israel in 2009. A sharp decline in contract-workers began in 2009, but the number of women employed as contract-workers is still higher than the number of men. The number of women who were paid by employment agencies in 2009 was slightly higher than that of men, at 1.5% and 1.2% respectively.

Women Executives

The number of executives in Israel stood in 2010 at 204,600 men and women out of all employed people, of those 66,500 were women and 138,000 were men. Women made up 32.5% of executives in Israel (an increase from 2005, when they were 26%). Despite the rise in the percentage of women executives, their share of jobs is still two-thirds lower than that of men, even when considered according to the level of management: women made up 12.6% of general managers, 35.8% of senior managers and 30.4% of other management levels.

Pay and Reward

The Pay Gap

The Equal Pay Act of 1996 determines that all employees are entitled to "equal pay for equal work in a similar or equivalent position". However, women are still making less money than men in the same profession. Data provided by the Central Bureau of Statistics reveal that, on average, women's pay is 66% that of men's. As of 2010, the average salary of salaried women in Israel was only 65.7% of salaried men: 6,386 NIS a month compared with 9,720 NIS. The average hourly rate of salaried
women was 83.5% of the average hourly rate of a salaried men, and the gap in wages stands at 16.5%.

Over the last 20 years, the wage gap has closed by only 9%, down from 57% 20 years ago, to 66% today. This data shows that over the past two years, the wage gap between men and women has been reduced by 3%. The income gap between men and women in 2008 stood at 17.3%. The income gap between men and women stands at 34%. Part of this can be explained by the difference in working hours of men vs. women (44.9 and 35.6 respectively). Based on this calculation, the hourly wage gap between men and women can be reduced to 16.5% (hourly wage of a man – 51.5 NIS and for a woman – 43 NIS).

The smallest pay gap in Israel is between free professionals and technical professionals – women's monthly wage is 70% of men's. Women's hourly wage makes up 87% of men's. In contrast, among sales and service agents women's monthly wage makes up 58% of men's, and women's hourly wage makes up 74% of men's.

When considering the wage gap that exists in different sectors, men enjoy a higher wage in every sector except construction and civil engineering. The largest pay gap between men and women in 2009 was in the health welfare and care industry: women's monthly wage made up 54% of men's, and their hourly rate made up 70% of men's. The smallest wage gap in 2009 occurred in the household service industry where women's monthly wage made up 77% of men's and their hourly rate made up 99% of men's.

The pay gap between men and women based on nationality

As of 2009, the average monthly salary of women employees is 62% of men's. The average hourly wage of women workers is 79% of men's and the income gap stands at 21% in favor of men. As of 2009, the gaps in the Arab sector are smaller than in the Jewish sector. The monthly wage of Arab women employees was 77% of Arab men's. Their average hourly wage is 106% of men's, and the income gap per hour is 7% in favor of women. In 2009, women's hourly wage was 74% of Jewish women's hourly wage.

The pay gap based on age, education and geographical location

In the older age groups, the wage gap rises. In 2009, the hourly income of 15-24-year-old men was 4.8% higher than that of women of the same age, and the 55-64 age group had the highest gap, where men made 23.3% more than women of the same age. This phenomenon exists in the public sector as well, though it is smaller than the private sector, where the monthly wage gap of men and women ranges between 10% among those in their 20's and 20% among those in their 60's. The salary of a 25-year-old woman working in the public sector is 90% that of a 25-year-old man but a 50-year-old woman in the public sector will make only 80% of a man's monthly wage (Mazar and Michaelson, 2010).

Regardless of the level of educational, monthly income of men is higher than that of women with the same level of schooling. Moreover, the higher the level of educational attainment, the larger the wage gap. Women make 83% of a man's wage when both have 8 years of schooling. However, women with 16 years of schooling make only 77% of the salary of a man with the same years of schooling. In addition, geographical location plays a critical role in determining the pay gap between
the sexes: in the center of Israel, the pay gap between the sexes is the highest in the country, with women making only 60% of men's wage, while in Israel's outlying areas this rises to 65%. When analyzed according to hourly wages, women in the center of Israel make only 80% of a man's wage; this gap gets smaller for women working in the outlying areas, where they make 90% of a man's wage.

**Pension**

Israeli law does not require that employers provide a pension for their employees. However, since Jan. 1, 2008, all employees are bound by the **Extension to the Collective Agreement for Comprehensive Pension Law**, which stipulates that any male employee over 21 and any female employee over 20 are entitled to a pension until the legal age of retirement. This law allows for the gradual adoption of pensions according to workplace seniority. It is important to note that this law serves as a social safety net to cover employees who are not provided with a pension as part of other agreements. In other words, employees who enjoy pension plans under a personal or collective contract, can still be eligible to better conditions than the basic conditions set by the law.

This new law amends a previous situation, where most employees did not benefit from the collective agreements which provided for a generous pension plan. Most of them had no pension, which meant they did not have the promise of financial security in their old age. Those most vulnerable were women, immigrants, Arabs and residents of under-served communities and towns (Dagan-Buzaglo, 2007).

Women are subject to particular challenges in regard to their pensions. Despite their increased levels of workforce participation, women's ability to accumulate comprehensive pension rights is limited. First, when women give birth, they stop working temporarily, receiving "maternity leave" which provides pension replacement for 16 weeks. However, if a woman wants to extend the leave beyond 16 weeks, accumulation of pension rights is ceased immediately. The burden of household and domestic care usually belongs to the woman, which forces them on occasion to terminate their employment, or to seek part-time work. In both cases, pension rights are not accumulated continuously, and their scope diminishes (Peleg, 2005).

According to data collected in 2002 by the Ministry of Labor and Social Affairs, 20-45 year old women prefer to retire at age 60. This is due to the burdens of childcare and household responsibilities which women are subject to throughout their working life, leading to an expectation that at their retirement these duties will subside. In addition, women feel that by age 60 they will have had enough time to accumulate pension rights which will allow financial security.

**Public Debate on the Age of Retirement**

2001 was a landmark year in terms of the battle over the retirement age. In January 2001, the government enacted legislation which raised the retirement age for both men and women. While the retirement age for men rose by two years, from age 65 to age 67, for women the retirement age grew by 4 years, from age 60 to age 64. The Knesset did stipulate in the bill that a committee would be established to look into this rise in women's retirement age, and yet the bill allowed for the automatic adoption of the new retirement age. This rise in retirement age has broad implications for women in Israel.
Women who are forced to leave the workforce before age 60 have to deal with a host of difficulties and barriers in terms of finding decent work after age 50. Taking this into consideration, raising the retirement age without creating employment alternatives for the over-50's, condemns a large segment of women to a life of degradation. In addition, women are predominately employed in highly-wearing jobs, such as care-workers, kindergarten assistants, hospital nurses, factory workers etc. In these professions, it is in the best interest of the employee and their employer to provide early retirement. Women are thus put in an impossible situation: on the one hand, they are too worn-out to do their jobs adequately, and on the other hand, they aren't entitled to a pension or national-insurance allowance. The increased retirement age means employees cannot retire early, but it does not mean that employers must continue employing them until they can legally retire. This has created a situation where many employees, mostly women who suffer from age- and gender-based discrimination, are fired before their retirement age, and are unable to find another job.

In addition, the law stipulates that women will be subject to a 6% reduction in pension rights for every year of early retirement they choose to take. This in addition to the reduced pension rights women accumulate due to their role as housewives and care takers, making them doubly vulnerable. Raising the retirement age to 64 is a clear and unequal violation of women's rights, especially their equal opportunity rights, their right to accumulate assets, and their right to an adequate standard of living. This law should be reversed, and the retirement age reduced to 62 at most.

Women and Family – Working in and out of the Home

Pregnancy in the labor market

During pregnancy, many women are forced to be absent from work for short periods of time. For this and other reasons which include women’s double burden of domestic responsibilities, women’s wages and career progression are often compromised. Although the law prohibits terminating women’s employment due to pregnancy during their maternity leave or for sixty days after their maternity leave, employers nonetheless find ways of firing pregnant women.

Women's workplace promotion depicts an uneven situation: women with 12 years of schooling (21.5%) have reported higher levels of discrimination than women with 13 or more years of schooling (19.2%). Secular women have reported more workplace discrimination with regard to promotion (19.5%) than religious and Orthodox women. The professional promotion of new immigrants has been subject to higher levels of discrimination than that of older immigrants. Young women have been hurt more (22%) than women over 30 (19.4%). Arab women have reported higher levels of discrimination in their promotion (25%) than Jewish women (20%).

A higher number of permit requests to terminate pregnant women’s employment were submitted in 2008 with the Ministry of Industry and Trade than in previous years. This could be attributed to the economic downturn in the Israeli market, which continued in 2009. In 2010 this trend reversed, and a sharp decline was noted in employers submitting permit requests. Over the years 2009 and 2010, more permits were issued than in 2007-2008. In 2010, 69% of requests were granted approval, as compared with 56% requests in 2008. The Division of Implementation and Enforcement of Labor Laws at the Ministry of Trade and Industry reported that the decline in the number of permits requested was due to economy growth, as well as the reissuing of the procedures that govern the
submission of these permit request. It can be deducted that reissuing the permit request procedures led to a decline in requests than didn't adhere to the relevant standards (Almagor-Lutan, 2011c).

The Division of Implementation and Enforcement of Labor Laws is also charged with investigating labor-law infractions, including the women’s labor act and workplace-opportunity law. The investigative procedures in the office are conducted in accordance with the Criminal Procedures Law (1982). Once the investigation is concluded, the cases are transferred to the legal department of the Ministry of Industry and Trade. Between the years 2009-2010, the Oversight Office received 1,192 complaints by women for wrongful termination. 965 of these (81%) were informative complaints or complaints that didn't produce evidence of criminal activity. Over those two years, 227 investigative cases were opened and 180 criminal procedures were pursued by the Oversight Office on wrongful termination of pregnant women, and 47 criminal procedures were pursued on the basis of equal opportunities (Almagor-Lutan, 2011c).

It seems that the amount of indictments served in cases opened between 2009-2010 was quite low. Some of the cases closed due to lack of evidence, and others were closed before the case reached the legal department, although many cases are still awaiting a decision by the legal department. It should be noted that in 2009 and 2010, the legal department served indictments in 16 cases of wrongful termination in cases that were opened in previous years. So far (as of 2012), no rulings have been handed down in these cases (Almagor-Lutan, 2011c).

Motherhood in the Labor Market

Up until 2010, Israeli law stipulated that mothers are entitled to 12 weeks of maternity leave. In March 2012, an amendment to the 46 clause of the Women’s Labor Law came into effect, which extended the parental leave of both mothers and fathers who have been employed at least 12 months at the same place or the same employer, as well as providing non-paid leave after the parental leave for those same employees. This means that currently, Israeli law provides for new mothers maternity leave of 14 weeks, although on average, Israeli women take 16 weeks of maternity leave.

The woman's number of children is an important indicator in extending women's maternity leave: mothers to one child extend their leave more than mothers with a number of children. Older women extend their leave more than younger women, and educated women with more than 13 years of schooling come back to work faster than less-educated women. 92% of women who return to work at the end of their maternity leave are able take up the same position they held previously or an equivalent position. 4.5% of women who went on maternity leave returned to a more senior role. 3.6% of women returned from maternity to a less senior role. 53% of women moved to a different role with the encouragement of their employer. This means that, annually, the employment of at least 1,330 women is negatively impacted by their employers, mainly through maternity leave absence. (Fichtelberg & Toshav-Eichner, 2004).

Motherhood, Ethnic Origin and Family Size

Jewish women’s workforce participation rate stands at 80.5%. Arab and other women’s workforce participation rate stands at 31.2%, and the rate of workforce participation of those without children is slightly higher than those with children, 31.2% and 23.7% respectively. In contrary, Jewish women
with children participate in the labor force in higher numbers than Jewish women without children, 80.5% to 48.8% respectively.

The rate of participation in the labor market of Mizrahi mothers is similar to Ashkenazi mothers at 81.5% and 82.3% respectively. Among Mizrahi women, workforce participation of those with children is slightly higher than those without children, 81.5% and 69.9% respectively. Among Ashkenazi women, this gap is even larger, with mothers participating in much higher numbers than childless women, 82.3% and 61.5% respectively. Arab and "other" mothers with one child participate in much higher numbers than mothers with four children or more, 40.2% to 20.2% respectively.

The rate of women's labor force participation shrinks the younger their child is, from 71.1% among women with a child aged 10-14 to 61.5% among mothers with a child under two years of age. Among Arab and "other" women the rate of participation for mothers with children aged between 10-14 is 32.8% and for those with children under two years is 27.2%. The rate of unemployment of mothers with a child aged between 2-4 is equal to the rate of unemployment of mothers with children aged between 5-9 but higher than that of mother with children aged 10-14.

The rate of partial employment among mothers shrinks the fewer children they have: from 51.2% among mothers with four or more children to 30.8% among mothers with one child. The partial employment levels of mothers also decreases the older their child is: 36% among mothers of babies who are one year old and 33.2% among mother to children aged 10-14. The rate of participation of single-parent mothers in the labor force in Israel stood (in 2005) at 80.6%, which is lower than the 2009 rate which stood at 75.5%.

In 2005, the rate of participation of single-parent mothers was 58.8% among mothers with three children or more, and 84.6% among mothers with two children. In 2009, the participation rate of single-parent mothers in the workforce was 58.4% among mothers of three or more children, and 79.2% among mothers of one child. The rate of participation of single-parent mothers of one or more children in the workforce in 2009 was lower than in 2005, while the rate of participation for single-parent mothers of three or more children stayed the same. In 2005, the participation rate of single-parent mothers was 62.9% among mothers with one-year-old children to 82.5% among mothers with children aged 10-14. In 2009, the rate of participation of single-parent mothers is 49.2% among mothers with a one-year-old child, and 78.5% among mothers with children aged 10-14.

A "Family Supportive" workplace

In 2008, after a joint initiative led by the IWN\textsuperscript{11} and the Authority for the Advancement of Women the Commissioner for Civil Service appointed a woman to head a special committee to study the issue of a "family supportive" workplace. The committee began its work in 2008, and by 2010 the committee submitted its final report to the Commissioner. Following this report the government passed bill number 2838 in February 2011 which established a special task force to study the issue of a "family supportive" workplace, and to submit recommendations to the inter-office committee.

The recommendations of the task force were: one day a week would be designated a short workday; flexible working hours should be adopted; adoption of policies that support measurement of output and quality of work in an effort to reduce the use of working-hours as the sole measurement; work

\textsuperscript{11} The 'Family Friendly Workplace' Initiative of the IWN was launched on the 31.3.2008 at Tel-Aviv University
meetings taking place after 15:00 would require a 72-hour prior notification; recognition of home-based work which adheres to certain pre-set standards; providing new mothers with the option of gradually re-entering the workplace; mainstreaming processes supporting case-by-case consideration of every employee's circumstances; expanding pre-school and kindergarten availability, to insure children a supportive environment; providing summer camps for employee's children during the summer holiday; providing employers and employees with "family supportive" workplace training; supporting an active policy of advancing women to senior positions, in order to insure equal representation of women at all levels. Although some of these recommendations are already supported by existing legislation, the committee felt they should be included in the report, to insure they were made accessible to every organization, including those outside the public sector and in the private sector. The committee also supported the immediate adoption of certain workplace arrangements which could be easily rolled-out which addressed and corrected for deep-rooted practices in the civil service. The committee noted that every organization and workplace should study the existing workplace arrangements that are in the report, and adopt those that best support its structure and needs. That is, the list of recommendations should be considered as a flexible toolbox (IWN, 2010).

Child care benefits

On July 20, 2008, the Knesset passed Amendment 170 to the Income Tax Ordinance (Child Care Expenses). According to this amendment, calculation of the tax bracket of a single-parent and a married women would take into account the children's tax credits – for a child aged 5 years or less: 5 points for a first child, 4 points for a second child, and 3 points for each child from the third child onward, providing at least one parent works at least 36 hours a week. Moreover, the amendment proposed to provide a grant (negative taxation) to individuals whose income is lower than the taxable threshold. In the accompanying footnotes of the bill, it was explained that the bill was intended to "provide a tax break and create a positive incentive for mothers of small children to join the workforce as well as increase the revenue base of the country." When the 18th Knesset was sworn in, the Authority for the Advancement of Women submitted a continuation of this amendment, but it was refused by the Ministerial Committee for Legislation on June 21, 2009, and this decision was given government approval on the 26th of the same month.

On the June 7, 2009, the Ministry of Treasury submitted a bill to the Ministerial Committee for Legislation, which proposed to stop recognizing child care expenses as tax deductible, to cut in half the tax credits given to every working mother, and to add tax credits for every child under eight years of age, but the committee didn't pass the bill.

On the June 14th of the same year the Ministry of Treasury submitted this bill a second time to the Committee. This bill eliminated halving working women's tax credits, and proposed that, beginning in 2011, the government would gradually provide tax credit points for every child 5 years or under, coming into effect fully in 2015. In addition, the bill addressed tax breaks for single-parent mothers. This bill, in its amended version, passed the committee and was added to the list of government bills (on June 22) that would later be submitted for approval by the Knesset.

As a result of this amendment, which clearly violated women's rights and was a challenge to the previous accomplishments of women's rights movements, the IWN submitted a petition which aimed to cancel the amendment and reinstate the previous legislation. The IWN believed that the new
amendment discriminated against married and unmarried parents, violated their rights to equal
treatment and to accumulate assets, as well as violating women’s ability to deduct childcare
expenses, which would lead to more women choosing to work at part-time jobs thus also violating
their right to decent work. These arguments were submitted to the High Court of Justice by the IWN
in 2009. The petition was overruled by the High Court in 2011, which claimed that this discussion
should take place in the Knesset, and not in the courts.

Female Migrant Workers

The number of migrant workers with working permits who entered the country in 2010 stood at
32,000, of those 5% were women. According to the Central Bureau of Statistics, the number of
migrant workers in Israel who have a work permit reached 116,500 in 2010, of those 48% were
women (55,920). Legal immigrants are mostly employed in the care sector as well as small number in
agriculture. The percentage of female immigrant labor in the care sector tops 97% and in the
agriculture sector it is only 2.4%.

The care sector, and especially nursing, is a 24-hour job that takes place in the employer’s home. In
fact, being employed 24 hours a day at the employers home is a prerequisite for getting an
employment certification, and any violation could lead to the cancellation of the immigrant’s work
visa. These employment conditions stand in direct violation of Israel Labor Laws that govern decent
work and limit the workday to 8 hours, as well as violating international labor laws. A workday that
has no defined beginning or ending and spans the entire day, is difficult and miserable in every
respect. This is a working environment that doesn’t leave any time for leisure activities, rest or family
life. Limiting the workday is a recognition of a woman’s humanity, which demands balancing work
and leisure. Not so for female immigrant workers who find themselves much like female workers in
New York factories a century and half ago, working around the clock (Ben Israel, 2011). Common
complaints include lack of sleep (as women must be available all day and night) and a heavy
workload. Other complaints include emotional distress, fatigue, anxiety, and depression. There are a
number of known cases of home care nurses who were sectioned to mental health facilities, some
even committing suicide, due to the deplorable working conditions they were forced to endure (Ben
Israel, 2011).

Women with Disabilities

The rate of employment among disabled women aged 22-65 stands at 50%, as compared with 70% of
women without disabilities. Studies show that a disabled woman’s chances of finding paid
employment are smaller than that of a woman without disabilities, regardless of age, educational
attainment, language or marital status. A full 29% of women with disabilities reported difficulties
making ends meet, as compared with 20% of women without disabilities.

Data show that the number of Jewish women who receive disability benefits is higher (83%) than the
number of men (77%) and that the number of Muslim women on disability benefits is lower (13%)
than the number of men (18%). Among women who receive disability benefits, 9% have low levels of
education, in contrast with 5% of men on disability benefits.

The rate of employment of people on disability benefits is very low, at 15%. At the same time more
disabled men (20%) than disabled women (12%) are employed. A study of data which takes into
account the many variables that impact on disabled people's chances of finding paid employment, found that women are disadvantaged, as 9% of men find accessible work, as compared with only 4% of women. Most disabled people with disability benefits are also employed. One-fifth of women and one-tenth of men are employed without pay.

The study also showed that men are more often full-time employees (42%) than women (33%). Moreover, men are more often recipients of work rehabilitation schemes than women – 19% vs. 13% respectively, from welfare offices and 14% vs. 9% from the National Insurance Institute. They are also provided with different rehabilitative tracks.

The rate of employment of disabled 20-60-year-old women is lower than that of disabled men the same age. There gap between women and men with disabilities (20-64 years old) who are employed is smaller than that of men and women with no disabilities (20-64 years old). In studying the gender gaps by the severity of disability, it seems the gaps between men and women with a severe disability are smaller than that of men and women with a less-acute disability.

The enforcement mechanisms of the Israel Women's Network

The state of Israel has been blessed with advanced laws that protect women. There are a number of comprehensive laws that protect women's rights and their employment rights in particular - Employment of Women Law - 1954, The Equal Employment Opportunities Law - 1988, Sexual Harassment Act, 1998 and more. The problem lies in the enforcement of these laws. Although significant legislation provides comprehensive protection, in reality, many violations take place and many women every day find themselves the subjects of discrimination. Therefore, for many years the IWN has coordinated "enforcement mechanisms" that aim to insure laws are substantively upheld, that women are protected, that women are made aware of their rights, that employers are made aware of women's rights, and to insure that legislation on women's rights is mainstreamed and progresses as needed through the courts.

Some of the work of the enforcement mechanisms include bringing suits on behalf of women who report instances of sexual harassment, wage discrimination, discrimination in hiring practices, firing pregnant women or women going through fertilization procedures, wrongfully reduced working hours, firing women after maternity leave, refusing to allow women to return to work after their maternity leave, lack of adequate representation and more. The enforcement mechanisms work with Israel's top advocates, who volunteer to represent cases on behalf of the IWN. These lawyers specialize in labor laws and are partners in IWN's work and share the same values.

Since 1995, the IWN has run a hot line that provides free legal advice and information on workplace discrimination to women. Court representation is provided in cases that could be precedential. The volunteers who man the hotline are legally trained, and can provide legal advice. The hotline provides a gauge for the state of discrimination against women in the workplace, as well as evidence as to the kinds of discrimination they face.

Equal Employment Opportunities Commission

In Dec., 2005, the Knesset added an amendment to the Equal Opportunities Employment Law – 1988, which the Israel Women's Network had proposed and promoted in the Knesset. The amendment established, for the first time in Israel an Equal Employment Opportunities Commission.
Although on paper Israel has very progressive and liberal legislation supporting equal employment opportunities, in practice it has been difficult to enforce these laws. Discrimination is illegal in the workplace, (on grounds of religion, gender, place of origin, etc.), but this has been more honored in the breach in Israel, and there is no regulatory agency which can guarantee that employers will obey the law.

Additionally, it is difficult to combat discrimination when it does occur. An employee who wishes to complain of discrimination finds that his claims are hard to prove, as the discrimination is hidden behind a litany of excuses (e.g., dissatisfaction with the employee’s quality of work, downsizing in the name of efficiency, structural re-organization, etc.). The employee is afraid to complain, for fear of losing his/her livelihood or harming his/her benefits. If the employee does decide to complain, he/she is liable to be engaged in a long, drawn-out process, which demands both inner and financial resources. Frequently, this daunting prospects causes the employee to waive his/her rights and prevents him/her for seeking redress.

The Equal Employment Opportunities Commission was established to address these issues, to eradicate all discrimination on the basis of gender, race, nationality, religion, sexual orientation, pregnancy, or age. Although this is a major revolution in the Israeli workplace, such agencies have been active for over two decades in other progressive countries, notably the US, Britain, and Northern Ireland.

The amendment establishing the Commission allows for three regional offices, headed by a regional commissioner, and a National Commissioner heading the entire organization. The role of the Commission, as defined by law, is to promote awareness of the equal opportunities afforded by the law. The law provides the Commission with the authority to investigate and prosecute cases in labor-law court, as well as the authority to conduct research and to educate the public.

The Commission has the right to enforce equal opportunity for all in the workplace, and its impact is expected to be significant. In July, 2011, a report was submitted to the Minister of Industry, Trade and Labor, detailing the purposes, activities and achievements of the Commission in 2010, which was an important year in many areas. The scope of the Commission’s activities was considerably broadened, which was expressed in all aspects of its work, be it in the courtroom or in its informational activities. This expansion can be seen, for instance, in the increase in the number of appeals to the Commission from the public, in the number of court cases and opinions written, as well as in the number of conferences, lectures, papers and articles published, and the growth of the Internet site.

The Commission works on the educational level to instill public awareness of equal employment opportunity in general, and awareness of the Commission and its activities, specifically. In 2010, we witness a big leap forward in this area: the publication of a detailed handbook for the employee; the Commission began to develop ways of co-operation with important employers and places of business; and representatives of the Commission appeared in countless conferences, lectures and workshops.
**Women in the Israel Defense Forces**

The Women's Force of the IDF was dismantled in 2001, and in its place, the Women's Affairs Advisory Board to the Chief of Staff was established. This agency's role, aside from dealing with the special aspects of women in the army, is to promote equal opportunity for women in the IDF. The end of the Women's Force, and the setting-up of this special unit, represent a significant attitudinal change concerning women's service in the IDF. In contrast to the Women's Force, which more or less allowed women's army status to stagnate, the Women's Affairs Advisory Board promote conditions for equal opportunity, for realizing women's potential and their talents with appropriate work opportunities, as well as provide a safe and secure work environment for women. This is a milestone in the long road to equal opportunity for women, and for tapping their potential. (IDF Spokesman, 2009).

**Additional Roles for Women in the Army**

One of the main promises arising from the Alice Miller decision, and the amendment to the Defense Service Law was the abolition of obstacles inherent in the military system preventing women from serving in various positions. The amendment, in Section 16(a) of the Defense Service Law clearly directs the IDF to open all its positions to women, unless there is a special aspect of the job which is unsuitable for women.

The past decade has indeed witnessed the abolition of a large number of obstacles on women serving in previously restricted positions: 90% of all IDF positions are now formally open to women, as opposed to 73% a decade ago, and only 56% two decades ago. The most significant taboo which was crossed was women serving in combat roles, with 1.9% of women in the IDF are now in combat positions.

Ten percent of all positions in the army are still not open to women. These include tank and engineering combat; naval combat (aside from the "Snapir" unit); certain positions in anti-aircraft and in artillery; and in certain rabbinical units (Tamir, 2007). These roles are still restricted, either because they demand a high level of physical strength, or because the basic conditions and locations are not equipped to handle women (IDF Spokesman, 2009).

**Gendered division of labor**

The traditional structure of the army was based on an unabashedly sexist model, with most of the women engaged in a limited range of dull activities. So it is important now to investigate whether the "opening of doors" in the IDF has indeed changed this situation. The last decade has seen an increase in the number of women serving in the army, with women now representing 34% of the entire force. Women do serve in a wide range of positions, including combat roles, combat-support roles, as important partners in the technological services. Women serve in the reserves as well. Women represent 41.7% of the officers in the army, 21% of the permanent army, and 12% of the petty officers in the navy. (IDF Spokesman, 2009; Tofel, 2010; Tofel & Yishpa, 2010).

Women inducted in the army represent 56% of all women in their age group. The last decade has seen a decrease in the number of women, along with a rise in the number of women excused for
religious reasons (34/6% of the entire pool of women in 2008). Additionally, women are excused for medical reasons (2.6% in 2008); residence abroad (about 4% in 2008); marriage (0.9% in 2008); and ineligibility (1.8% in 2008).

We can also see an informal "opening of doors", in that the traditional structure is breaking down, with the roles filled by "men only" dropping from 38% a decade ago, to 25% today.

The number of mixed positions with only a token representation of women rose from 34% to 38%, and the number of positions with a greater percentage of women rose from 9% to 17%. The rise in the number of women serving in non-traditional roles, such as combat, technical positions and as drivers. There has also been an increase in the number of women serving as officers on the battalion and regimental level in combat-support units. Women have begun to serve in reserve units as well. The number of women serving in purely clerical work has decreased dramatically, from 26% of all women in the army in 1998, to about 13% in 2010. Although most of the clerical positions are still being filled by women, the number of women filling all clerical positions has decreased from 94% in 1998 to 71% today. (IDF Spokesman, 2009; Tofel, 2010).

Advancement of Women Officers in the Permanent Army

In the process of the advancement of women in the army, it was decided that women would cease officers' training in Training Camp 12, which was exclusively for women. Instead, women would be integrated into the officer' course in Training Camp 1, which was until then an exclusive "Boys' Club". Since this decision in 2003, officers' training has undergone a true revolution. First of all, the officer staff at TC1 is composed mainly of women; role assignment is strictly according to the cadet's eventual placement (non-combat, combat-support, combat). In 2008, 56% of the soldiers designated as officers within the "Nachshon" group (staff officers) were women. In the same year the rate of women in the "Maoz" group (combat officers) was 2.5% of all candidates.

The past decade has shown a slight rise in the number of women officers of all ranks. The rate of women Lieutenant Colonels has risen from 9.9% to 13.1%. Women in the rank of Major-Generals rose from the rate of 2.5% of all officers in this rank in 2001, to 5% in 2010. Women officers ranking as Brigadier-Generals is now 3%, and, for the first time in IDF history, a woman was elevated to the rank of General, as head of Army Personnel. The "glass ceiling" has indeed cracked, even if it has not broken completely. Women are still a minority of the decision-makers in the military.

Cultural Discrimination: Equal and Respectful Treatment in Daily Life

It certainly seems that there has been a change in women's status in the military, including her treatment on a daily basis, probably as a result of the successful and prominent presence of women in hitherto segregated branches of the army, as well as a change in attitudes in the society as a whole.

Yet we still find that women soldiers and officers are still subjected to discrimination in their daily life, including exclusion, over-protection, and gender-based division of labor. In a survey undertaken by the Women's Advisory Board, it was found that 45% of army units still reported incidents of gender discrimination, i.e. unjustified divisions between men and women soldiers. This was found mainly in the assignment of turns of duty and of operational missions, as well as lack of consideration of a woman soldier's particular profession. Humiliation and disrespect are still part of the accepted
army environment. So we see that there is still much work to be done in embedding the values of gender equality in the daily life of the military. The Women’s Advisory Board conducts many supportive activities in this area, aimed at raising awareness of the problem, indicating the “the rules of the game” have changed, and providing tools for officers to translate their good will to gender-blind behavior (Tamir, 2007).

**Sexual Harassment**

The increased awareness in the IDF to the problem of sexual harassment is connected to the growing awareness in society as a whole, as well as to the well-publicized cases of highly-placed officials, outside of the army, accused and convicted of this crime. The IDF is one of the few organizations in Israel which monitors closely and systematically cases of sexual harassment. A bi-annual survey of women soldiers outlines the scope of the problem, its particular parameters and characteristics, as well as attempts to combat and deal with it. Data from the survey indicate a steady improvement, both in the level of growing awareness, and in the decline in the number of reported cases. In the years from 2002 to 2010, the number of women soldiers reporting sexual harassment declined by a fourth.

In 2008, 363 cases were reported of either verbal or physical harassment. 59% reported physical abuse, and 43% of the reported harassers were soldiers in compulsory service. In 102 of the cases, the accused were officers. 5% of the victims were male, while 88% were women in compulsory service. 37% of the women who reported harassment in the survey chose not to complain formally. Of all the cases reported, only 3 (0.8%) were found to be unfounded.

In June, 2010, the Women’s Advisory Board submitted to the Knesset Committee on the Status of Women the yearly report for 2009, which noted 445 reported cases of sexual harassment; 48% of these involved physical abuse, 28% verbal abuse, and 13% were cases of peeping-Toms. 47% of the victims chose to complain to the Military Police, while the rest of the cases were handled within the soldier’s unit. Additionally, 109 women-soldiers reported cases of harassment by civilians, of which 50 were cases of rape or attempted rape. The rise in awareness of the problem brought with it additional, effective ways for the system to deal with these issues, especially in methods for protecting the women. Both the formal and the practical attitude of the army has become much more determined, orders are stricter, care of the complaining victims is more professional, and the information given to both women and men soldiers is much more extensive, and reaches a much larger audience.

The IDF, as an organization which is required by law to induct both men and women soldiers, is although obliged to provide a safe and secure environment for all its soldiers. The Coping and Support Center, which opened in February 2011, provides emotional support to women who experience a crisis event, including sexual abuse, unwanted pregnancy, or violence from a partner or a family member. The Center also serves a referral center for those in need, and is available to all soldiers serving in the army.
Sixth Chapter: Women in the Media

Print Media

As of 2011, a survey of seven news media corporations – three newspapers, one TV station, and three radio stations – indicated that the representation of women on staff is still low. These companies employ 3,400 individuals; of them 1,372 are women and 2,005 men. The percentage of women in all the corporations surveyed hovers at around 40% of total staff. On the positive side, it seems that in all the companies, there is a uniform ratio of women-to-men in key positions: 31.3% of women are in administrative positions, and slightly more are in executive roles (34.1%). Additionally, the number of women involved in executive professional positions is almost equal to the number of men; these positions include news announcers, producers, writers and other news-producing roles (41.4%). Women are in the majority in the design and production of news items (59.7%), a category that is, by the way, overwhelmingly male-dominated in many countries. Women represent two-thirds of the financial and sales positions (65.3%), mainly in clerical, traditional roles. However, women fill only 27.8% of the executive positions, which include creators and writers. About a third (34.7%) occupy middle-management positions, including head writers and editors (Byerly, 2011).

Women are 46% of the news presenters, but even so, an international survey conducted in 1995 showed that women are still in a minority in the communications industry. 30% of the presenters were on TV, 25% on radio, and 17% in the press (Lemish, 1997). An Israeli survey done in 2005 proved that the situation has not changed very much: fewer women are employed as reporters (23% women as opposed to 77% men), and they are limited to "lighter" news areas, as well as being younger than their male counterparts. Women play fewer roles as participants and "expert" commentators. Their subjects are usually social issues – poverty, unemployment, strikes – while other important issues are left to the men. This is true for the Arab commercial media as well: only 9% of the reporters were women, and articles dealing with women's issues were frequently printed without a by-line.

Interviewing women (news programs, guest shows, entertainment)

The presence of women as interviewees has stayed constant in the last few years. Women appear in the media less frequently than men, and when they are interviewed, it is usually in a dependent role (as a wife, or a daughter), and they are introduced by their first name. Men are usually presented in their professional capacity, introduced by their last name, including their title. Women are presented as victims twice as often as men in the appropriate circumstance (e.g., traffic accidents), and are less logical, ambitious and independent, and more vulnerable, needy and emotional than men (Wyman, 2000; Lemish, 2002). Between the years 2003 and 2005, there was a slight improvement in the ratio of women's appearances to men's (32% and 68%, respectively), but this still does not reflect women's real proportion of the population, and their presence in the media is still marginal.

The commercial Arab press shows a similar bias, both in the presence of women and the significance of the items in which they appear. In 2006, articles concerning women were printed on the back pages of the weekly newspapers and magazines, usually pages 20-45 out of 60 pages of news. Even important news items concerning women never appeared before page 4, and no more than one such
article was published a week. In half of the cases, the woman's profession or status was not mentioned, and they usually appeared in traditional roles, although women represent 54% of students (Athamna, 2006).

Although the presence of women in the Arab press is more pronounced than before, it is still far from their actual numbers on the population. Additionally, women are still more represented in social or cultural contexts, rather than in hard news stories, and their traditional feminine roles are emphasized. This stems from a lack of presence of women journalists in the Arab society. The conclusion of the researchers was that there is a lack of a clear, strong agenda in the Arab press concerning gender equality. (Gamal & Besol, 2011). While men appear on the news as public officials or expert commentators, women are depicted as by-standers or subjects of the item itself.

A survey done in 2008 on the presence of women in the local election coverage indicates a certain change. As expected, coverage of women was still poor, and women politicians were presented as a minority. However, TV coverage was more complex in 2008. On the one hand, the poor coverage of women still shows the traditional male dominance of the medium, but on the other hand, there was a genuine forum for real feminist discourse on television. In 2008, women were still perceived as "the other" in political arena, but the TV news showed that this "otherness" was no longer newsworthy (Lachover, 2012).

**Women’s Representation in the Popular Culture**

**Women as Heroes and Independent Figures**

Original Israeli programming follows the news in its presentation of women: women in leading roles are usually young, needy, and emotional. Older women are depicted as negative characters – greedy and manipulative. Both original and imported programs presume that beauty is the key to success and happiness. 2005 was a year when many of the shows had women as main characters (Laor & Amitiya, 2006; Lemish, 2005).

Content for children and teen-agers, both on TV and in the print media present women in one of two stereotypes: the young, beautiful and passive girl, or the warm matriarch. The MC's on these shows follow a pattern: they are charming, pretty, and fun. The men, on the other hand, can push boundaries in terms of manners, language and behavior. Texts aimed at young girls in the teen magazines emphasize the importance of good looks and sexual allure (Lemish, 2001; Lemish, 2011; Tsalach, 2006).

Public media are responsible for the social scrutiny of women's bodies, and using this as a measure, it seems that beauty and figure are the keys to success, rather than intelligence, career or education. These messages are internalized and delivered through magazines whose primary concerns are diets and beauty (Witztum, Stein & Weltzer, 2005). The media emphasize thinness, and girls are bombarded with the idea that they must be thin to be loved. This of course can lead to eating disorders and to a general feeling of dissatisfaction with their bodies (Gilran, 2006; Lemish, 2011).
Recently, the **Weight Limit Law in the Modeling Industry – 2010** (also referred to as "the Photoshop Law"), which forbids graphic editing of pictures of models to make them appear thinner, as well as forbidding pictures of models who are visibly underweight.

**Gender Identity and the Family**
A research study conducted in Israel in 2011 indicated that the world-view of children's programming, be it original or imported, primarily white, middle-class, where boys are present almost twice as often as girls (63% and 37%, respectively). In most of the programs, there is no family as such, and where there is a family, it is shown in its traditional form. Ignoring the changes that have occurred in the last decade in the family structure. Gender and family, as they are presented to children on Israeli TV (as well as in the whole world) do not reflect the reality of the world in which they are growing up, and does not prepare them for the social and cultural changes within it. The world of TV continues to show their young viewers a static world, with men dominant in a white, middle-class environment and a traditional family structure. This prevents children who are actually growing up in a "non-traditional" family from finding something to identify with and contributes to a feeling of "difference" or "otherness" among these children (Lemish, 2011).

**Women's representation and image in advertisements**

**Portrayal of body and mind**
Women are usually small, weak, and vulnerable in Israeli advertisements. Many ads show severed body parts, which of course diminishes women as a whole person and serves to objectify her. Elements borrowed from pornography, including chains and bondage, point to violence toward woman and to woman's essential passivity. The prominent features of women are lips and hands, pointing to and caressing various objects. Men, on the other hand, are always whole, confident and much taller than the woman at their side (Wyman, 2000; First, 2001).

Many women are only partially dressed and provocatively placed in advertisements. Women’s bare body parts are twice as evident as men's, and usually not relevant to the product advertised. Sexual innuendoes where the woman is the star of the ad is twice as common as when the man is the star (Wyman, 2000; Sorek, 2001). The frequency of ads with partially-dressed women is twice as common as for similarly-exposed men. 75% of women in ads are between the ages of 10-30; 52% of men in ads are over 40; only a tiny percentage of women over 60 appear in ads. The appeal to women in ads is by use of a "personal conversation", in the guise of a neighbor or a friend, and is based on her personal experience, while appeal to men is through the opinion of a "professional expert" (Wyman, 2000).

**Representation of Roles (Ambitions, Professions)**
Women are usually shown within the home, with their families, and usually without a defined profession. Men are shown in the public sphere, as experts or high-level functionaries, usually in the company of other men. This partition of space affects the division of labor as well (Wyman, 2000). Ads which show a woman at work along with a man, hint at the higher status of the man, even without specific references (Lahav & Lemish, 2003). Generally, the representation of high-status women is not proportional to their representation in society. From the ads, it would seem that
women need men's help as an expert, even in areas when it would be reasonable to suppose that women have an understanding (e.g., laundry soap, cleaning materials, etc.)

A man acting in the private sphere is shown taking care of his children and never in the role of cleaner and performing other household duties. When men are shown fulfilling a "woman's role", activating the washing machine, for instance, they are seen as weak, or even impotent. This representation of the gender-based division of labor allows the viewer to accept the stereotype of the man as active, and shows the silliness of a situation where the man is expected to do "a woman's job".

In accordance with the Authority for the Advancement of Women Law, the Authority has undertaken to track the image of women as it is reflected in advertising, both visual and textual. The Authority has reached out to the relevant parts of the industry, explaining the impact of ads which degrade or humiliate women. In addition, the Authority has initiated calls to the press and to the television channels in an effort to convince them as to the damage done by negative commercials and ads. As a result, the Authority issued a "call to the public", asking for a more critical approach to advertising degrading women and for the public to inform the Authority ads or commercials which are offensive to women.

In 2010, the Authority was involved in 13 instances of harmful advertising, and caused some of them to be removed. At the same time, an invitation was sent to 16 different organizations to participate in the Forum against Offensive Advertising, to develop a standard of decent advertising. Only some of the organizations answered positively to this invitation.

The Internet

Accessibility, usage and content
In spite of the expectation that men would be the primary users of the Internet, since it was built by men, with all that implies, the gap between men and women users has been narrowing. As of 2005, the proportion of men and women users is almost equal (41.6% and 40%, respectively). Most women (53.2%) are veteran users, with more than five years using the Internet. Most use from home (72.7%), and 82% are daily users (Cohen-Penner, 1998; CBS, 2006; Schwartz, 2005). When we concentrate on younger users, the gap completely disappears, as well as the amount of time spent daily by girls and boys. However, there is a difference in use: while boys use all of the possible functions of the Web, girls tend to spend more time in social networks or listening to music (Mesh, 2006).

The difference in usage is true for adults as well: women use the Internet for searching for information about health, children, culture, fashion and spirituality, while men use it for downloading movies and other programs. Women are a minority within the industry as well, holding fewer key positions in programming. This holds true for Internet shopping: only 30% of women use the Internet for this purpose, versus 65% of men.

In the past few years, many Websites have been set up aiming at the female audience, and we can identify some general trends. Some sites have put the empowerment of women as their top priority, providing information and support in areas such as women's rights, employment and politics.
The Internet offers the opportunity to liberate oneself from the social conventions of the physical world. In this respect, the Internet could have had the potential for creating a more equal society; in practice, however, most gender stereotypes have survived. Moreover, women participating in social networks tend to express themselves more politely; their messages are shorter, and even with more "emoticons" (Goddekar, 2006).

The rise in the number of women employed in the traditional media has paved the way for women in the on-line version of the press. The ratio of the employment as compared to men in the industry was high from the beginning, and has continued as the Web has grown. As of 2002, 41% of those in Internet-based press were women. The industry tends to employ young, cheap workers; the consequence has been the weakening of traditional labor unions and the profusion of personal contracts. It should be noted that here too, women's salaries are proportionally lower than men's. Women are more apt to work under these conditions, however, since for many of them it is an additional family salary rather than the primary one, and it also represents an opening for them in this field (Limor & Lavi, 2003).
Seventh Chapter: Women's rights over their bodies

Foreword

As a modern liberal state, Israel prides itself on assuring all its citizens personal security and the right to life. Many laws and amendments provide for harsh sentencing for acts of violence against persons. In practice, however, women are raped, beaten, sold into prostitution and even murdered every year in Israel. When women try to find justice in the courts, they are met by the system with innumerable obstacles.

"Security" in Israel is invariably tied to the national security situation, and not to the personal security of its citizens. Because the state’s resources are invested heavily in its military budget, social issues are allowed to fester, with substandard education, unemployment and poverty as manifestations of this neglect. Those caught in the web of neglect are left frustrated and violent, often lashing out within the family. The ready availability of weapons in this volatile situation has contributed to an alarming rise in violence in the home and to the murder of women in the family (Negger, 2006; Zakash, Sa'ar & Aharoni, 2005).

The struggle against violence towards women, including family violence, rape, and the sex trade, is fraught with difficulties: raising public awareness, extending help to the victims, and finding legal recourse in the courts and in the Knesset.

In March, 2011, the former President of Israel, Moshe Katzav, was convicted of rape, sexual harassment and indecent acts against women employees in the Ministry of Tourism during his term as Minister, and sentenced to seven years in prison, two years of probation and a large fine to be paid to his victims. As satisfying and just as this sentence is, the war against violence to women in Israel is far from over. We can see that there have been both steps forward and back in the last few years. Government funding for projects assisting sex workers, including the "Sal'it" project, do show an advance in public awareness. On the other hand, the closing of shelters for battered women is a real blow to the fight for women.

The murder of women, violence towards women, sexual abuse, prostitution, the sex trade, physical and sexual abuse of immigrant workers, and pornography are all elements of the same root problem, and the differentiation between them in the following chapter is largely artificial and done for the sake of presenting statistical evidence.

Violence against Women in Israel

Since the 1970's, Israeli society has undergone a major change in attitude regarding violence toward women. In general, violence in the family is no longer regarded as a purely private family matter. The passage of the law against family violence in 1991 is a sign of this change. In addition, the legal definition of rape has been widened, and minimum prison sentencing has been established as part of
a larger reform in the criminal law dealing with sexual offenses. The field work of many women's groups, many of which began as voluntary organizations, has been formalized and professionalized. Public awareness of the widespread existence of violence against women and the realization that it is prevalent in all social and economic strata, has brought larger budgets, changes in the legal system and in the area of treatment. The journey, however, is far from over.

The exact extent of violence against women is unknown. According to the most conservative estimates, the annual number of cases is approximately 150-220 thousand (Eldar-Avidan, 1999; Lev-Ari & Ya'iri, 1996; Loten, 2006b). A 2001 study found that only 24.8% of injured women called the police. The study also found that the phenomenon of violence against women occurs in all sectors of the population, albeit with greater occurrence among the unemployed and less-educated, who tend to have a history of violence within the family, drug use, or criminal activity. (Fishman & Izikovitz, 2001).

The scope of violence against women in Israel – official statistics

Police Data

Domestic violence between partners

In the years 1995-2005, the number of cases referred to the police varied from 14,700 to 17,800. Cases were opened in the years 2007-2010 at the rate of about 15,000 a year. In general, we can say that about 16,000 cases are reported each year. It is not clear if there has been a rise in the number of cases over the years, or if this is a result of women's awareness of their options and of their greater trust in the judicial system.

In 2010, 20,353 cases dealt with family violence, 15,735 (77%) of these violence against women. The most common complaints were bodily harm and public disorder. New immigrant women represented about 23% of the complainants, 2.9% of these being Ethiopian (double their representation in the general population). The number of immigrant complainants is consistent over the years (Almagor-Loten, 2011). Half of the cases opened in Jan.-Oct. 2011 were closed – about 64% through lack of evidence and about a third through "lack of public interest". This ratio is similar to that of 2010.

There has been a rise in the number of arrests made by the police. In spite of a decline in the number of complaints in 1997, there was a significant rise in the number of arrests (13% in 1998, as opposed to 8-9% in previous years). The rate of arrest was stable in 1998-2000, and from 2001 on there is a noticeable increase (except for 2003). This rise is a result of a number of factors: a change in the law which widened cause for arrests, the establishment of a special branch of the police to deal with family violence, a rise in public awareness, etc. The police arrested 4,013 in the months

12 The survey used a representative sample, and relied on self-reporting of the respondents. 5.8% of the women (from a sample of about 140 thousand women in Israel) reported violence towards them on the part of their partner in the year prior to the survey; 11.2% (from a sample of about 215 thousand women in Israel) reported psychical violence on the part of their partner at some time; 2% (from a sample of about 38 thousand women in Israel were victims of death threats from their partners.
Jan.-Oct. 2011 for family violence (156 women were arrested), as opposed to 3,925 men in 2010 and 3,609 in 2009. (Almagor-Loten, 2011).

**Femicide**

In 2010, 18 women were murdered by their partners (two men were murdered by their partners), and two more women were murdered for what is called in Israel "family honor killings". Five of the murdered women were new immigrants from the former Soviet Union (36%, significantly higher than their representation in the general population), three women were from the Arab sector, two women were foreign residents (from Eritrea), and four were long-time Israeli citizens (Almagor-Loten, 2011).

Police statistics rely on a very narrow definition of "partner", and so tend to skew the reality of the situation. Most murders in the Arab sector are committed by family members acting in the name of "family honor", and are thus not included in the statistics of violence against women partners. Also, in some cases, murder is reported as suicide or accident, which again skews the figures.

After a slight dip in the number of murders in the years 2008-2009, 22 women were murdered by their partners in 2010. While there were fewer victims among veteran Israeli women and women from the former Soviet Union, there was a rise in the number of Ethiopian immigrants and women in the Arab and Druze sectors of the population.

**Sexual offenses**

The Israeli police opened 3,672 cases of sex offenses in Jan.-Oct. 2011. Of these, 2,919 cases (79%) were from women complainants. In all of 2010, 4,705 cases were opened, with a similar ratio of women complainants (3,567).

In all the years, the most common offenses were forcible indecent acts and forcible rape.

In 2010 and 2011 (until the end of Oct.), 42% of the complainants were minor girls. In Jan.-Oct. 2011, 1,231 cases were reported: 98 were of offenses within the family, 67 were of forcible rape and 31 were illegal rape or intercourse. It must be stated that the cases reported involved an adult suspect, so that actually minor girls were most probably involved in many more cases of sexual offense committed by minor males (Almagor-Loten, 2011).

In 2011, 42% of the cases were closed, 335 for lack of evidence, and 12% for lack of public interest. This is similar to the 2010 statistics.

**Ministry of Health Statistics**

The database of the Ministry of Health is comprised of monthly reports received from the health agencies: hospitals, well-baby clinics, health-fund clinics.

In 2010, 4,310 cases were reported to the Ministry of women or girls who received care in any one the above institutions for the consequences of violence or rape. In addition, well-baby clinics reported another 852 women who were suspected of being victims of family violence.
According to the Health Ministry statistics, the most common form of violence against women was physical injury, with almost half the cases reported being in this category. Another 17% reported mental abuse. Among girls 13-18, 36% reported being sexually abused, while 20% of women 19-64 reported sexual abuse. Girls age 13-18 comprise 10% of the population, but 13% of the complainants (Almagor-Loten, 2011).

The Ministry of Health delivers medical and psychological assistance to these women both in hospitals and in their communities; this aid includes information and counseling services. Three hospitals operate Rape Crisis Centers: Wolfson in Holon, Bnei Zion in Haifa, and Poriyah in Tiberias. The Ministry also provides training and counseling for the caregivers in the field.

**Battered Women’s Shelters**

As part of the general governmental policy of privatization, the Ministry of Social Affairs tendered contracts to private organizations and companies to open battered women's shelters. The L.A. Society (the Society for Violence against Women), along with other groups, has set up and administered shelters. In 2010, 418 cases were referred to the shelters by the police, social service agencies, hospitals and other agencies. In practice, only 151 women were accommodated, through lack of facilities.

In 2010, 183 women stayed in L.A.'s shelters, along with 233 of their children. After a stay at the shelter, about 60% of the women go on to new lives. The Ministry of Social Affairs grants to some of these women a one-time allowance of 10,000 ILS, a sum which changes from year to year. The rest of the women return to their homes and to their violent husbands, where they are again exposed to physical and emotional abuse.

Israel suffers from a chronic shortage of places in shelters for these women. Because of the shortage of room, women with more than three children are usually not accepted. Shelters accept women with sons only up to age 10, and daughters of all ages. The children go to schools and kindergartens in the shelter's neighborhood.

A woman leaves the shelter with a restraining order against her partner and legal demands for alimony and child support. She is entitled to rent assistance in the first year after leaving the shelter, to support from a social worker and from the nearest Crisis Center. Her job is kept open for her for six months by law when she enters a shelter, and if she does not return to her original home, she is entitled to severance pay from her employer. If she does return to her job, she is protected from being fired for the first sixty days after her return.

The Ministry of Social Affairs subsidizes only 75% of the cost of a shelter. Rent, enrichment programs for the children, emergency call services and other activities are not covered.

**Legislation**

Amendment 7 of the **Law against Family Violence – 1991** requires all professional agencies (medical, social work, education) to report any suspicion of family violence. The law also requires that the victim be informed of her right to appeal to the police, to a crisis center, or to social services.
**Violence against Women in Arab Society**

In 1991, Israel signed the U.N. Convention on Discrimination against Women. Since then, there have been 149 murders of women within the Arab sector. In 2007, thirteen women were murdered by their partners, eight of them Arab women. In 2008, ten women were murdered, six of them Arab women. In 2009, nine Arab women out of a total of eleven were murdered by their partners. In 2010, ten Arab women were murdered. In other words, 60% of the murdered women in these years were Arab women. From Jan. to July 2011, six Arab women were murdered. (A report was delivered to the UN in Dec. 2011 concerning Palestinian-Israeli women).

From Jan to Sept. 2010, 13% of the cases filed for family violence were filed in the Arab sector, even though the Arab population is 20% of the entire population of Israel. The reason for this discrepancy probably results from lack of faith in the Israeli justice system. We can see this discrepancy in the statistics for sex offenses: only 8.4% were from Arab women.

**Statistics from the Crisis Center in the Arab Community**

The Society for Prevention of Violence against Women conducted a survey within the Arab community on "Attitudes towards the status and rights of the Palestinian woman in Israel". According to this survey, attitudes differ according to the identity of the offender. In the case of a sexual offense committed by a stranger, 82.3% of the respondents favored involving the police. Only 68.5% favored doing so when a family member was the perpetrator.

In 2009, 638 women applied to the Crisis Center, of which 299 reported a sexual assault. From an analysis of the data, we see that 23% of these complaints involved incest (from father, brother, or other family member). Twelve percent of the complainants were under 18. Only 19.3% reported to the police.

In 2010, 563 women turned to the Center (an average of 47 a month): 385 women reported physical and mental abuse, 178 reported sexual harassment, and 11.4% reported incest. Only 23% of these complaints reached the police, who saw them as a way to demand their rights as victims and to bring their attackers to justice.

In 2011, from Jan. to July, 338 new cases reached the Center, 140 of them sexual assault and 198 physical and/or mental abuse.

**Halfway housing for at risk Arab girls**

There are a total of eight apartments available to young girls at risk, of which only one is in an Arab neighborhood. The apartment belongs to The Society for Prevention of Violence against Women, and is subsidized equally by the Ministry for Social Affairs and by the Society. In reality, the subsidy of the Ministry covers only about 35% of the cost of the apartment.

According to the statistics, 154 young girls have been sent to these apartments from 2001 to the present. Of them, 66 have been accepted. We have witnessed a rise in the number of requests: in
the years 2008 and 2009, 32 girls have asked for shelter, and 13 have been accepted. Nineteen girls were rejected through lack of available space; the others did not meet the criteria of the social services.

In 2011, from Jan. to May, eleven girls asked for shelter, and three were accepted; the others had to go without shelter, as the Ministry had decided to sell the apartment.

"Safe houses": There are 23 "safe houses" in the country, which provide protection and shelter during the day for young girls. Of these, fifteen are in the North, seven houses serving about 510 Arab girls, and eight others accommodating about 330 Jewish girls.

Hostel: The Social Affairs Ministry closed the only hostel for Arab girls in Sept. 2004. Since then there is no hostel available for them.

Shelter for Arab girls in crisis: There is only one such center available in the whole country for Arab girls, with a total capacity of twelve. These girls are in dire danger, some of them of their lives.

In addition to all these shortages, there is a real need for more counselors in the Arab school system. These professionals are needed to deal with the issues of incest and sexual assault to which these girls have been subject. There is also a dearth of trained staff in the police system to deal particularly with Arab youth.

**Coordinated field work to combat violence against women**

**Judicial actions-restraining orders**

The Law against Family Violence, 1991 guarantees the right of the court to issue a protection order against an individual who is liable to do one of the following: entry into the living area of a family member or presence within a stated distance from said area; harassment of a family member, or activity preventing the family member from legally using any properties, even if the offender has a right to enter the area.

In the months Jan. through Oct., 2011, the police received 570 complaints of violation of a protection order; of these 504 (88%) were complaints by women. In all of 2010 there were 767 complaints of this nature, 671 (87%) by women. About one half of all these cases were closed in 2010, most due to lack of evidence. In Nov. 2010, the responsibility for these cases was passed from the judicial system to the police (Almagor-Loten, 2011).

**Services of the Ministry of Social Affairs and Social Services**

A significant portion of the services available from the Ministry in the area of violence against women and sexual offenses is performed by external agencies, especially the local municipalities and non-profit organizations. In this context, we should mention three main activities: crisis centers, operated mainly by the social affairs agencies of the local municipalities, or by various non-profit organizations (the budget for 2011 was 14.8 million ILS); shelters and half-way houses, operated by organizations who have been awarded contracts by the Ministry (2001 budget: about 23 million ILS); Rape Crisis
Centers, operated by private organizations and subsidized according to Ministry criteria (2011 budget: 4.7 million ILS).

The Ministry of Social Affairs and Social Services subsidizes activities and schemes within its sphere of responsibility to about 75% of the total operating costs. Recently, the Ministry has been put to task by organizations who work with it, on the one hand for its process of selection of worthy projects (as mentioned above in connection with shelters), and on the other for its budgeting criteria. Both the umbrella group representing all the battered women’s shelters and the organizations operating crisis centers reported that the subsidies of the Ministry bear no relation to the actual costs of operating these projects. These organizations, therefore, must bear the brunt of operating costs themselves. For example, in 2010, statistics from the crisis centers reveal that Ministry subsidies covered between 18%-32% of the actual costs. In addition, delays in delivering these subsidies from the Ministry have caused the cancellation of many planned projects. The question arises: Given the situation, where the Ministry delegates projects within its own area of responsibility to outside organizations, why does the Ministry not subsidize these projects fully, and in time? As it stands today, many of the projects which are supposed to be the primary responsibility of the Ministry are actually funded by outside organizations (Almagor-Loten, 2011).

Local and Regional Centers for the Prevention of Family Violence

The Ministry of Social Affairs and Social Services administers 86 centers on a country-wide basis. Most centers operate under the jurisdiction of the social service branch of the local municipalities, while a small number are the direct responsibility of non-profit organizations. The services at the center are available to women victims of violence, violent men, children who have been witnesses to violence, and to elderly victims of violence. Three centers serve the religious (haredi) community, eight serve mixed communities (Jewish and Arab), and 21 serve the Arab community13, with one for the Bedouin community, and two for the Druze community. In 18 centers, there is an Amharic-speaking social worker for the Ethiopian community, and twenty centers have a Russian-speaking social worker. Twenty-nine centers operate the "Bridges" program, a project of both the Social Affairs and Absorption Ministries, which deals primarily with immigrants from the former Soviet Union. This project was expanded in 2011 to include the Ethiopian community, with a substantial rise in Ministry subsidization (Almagor-Loten, 2011). In 2010, 11,358 individuals were received from 9,749 families; 66% of them were women, 25% men and 9% were children. In comparison with 2009, there was a 14% increase in the number of families receiving help, and an almost 50% increase in the number of children.

An analysis of the socio-economic makeup of those receiving help reveals that 22% of the Jewish families were new immigrants, of them 54% from the former Soviet Union, 36% from the Ethiopian community, and 105 from other areas. It would seem that Ethiopian families (75% of the total) make up a far larger percentage than their representation in the general population (about 1.5%). The Arab community was represented by 11% of the families, about half of their proportion of the general population, and less than those treated in 2009. In 2010, 377 therapy groups were operated in the centers, an increase from 2009, when 348 groups were operated. The treatment at the centers is provided for a token payment according to certain eligibility criteria (Almagor-Loten, 2011).

13 There is another center serving the Arab community, which is not subsidized by the Ministry of Social Affairs. Most of the centers for the Arab sector are relatively small units and are staff by part-time workers.
Special Projects within the Framework of the Crisis Centers

Social Workers in Police Stations

This program is in effect in 19 centers. The social workers visit police stations a few times a week and speak to the victims of violence immediately after the complaint is received, and in some cases with the assailant as well.

Battered Women Shelters

In 2011, eleven shelters were operated in the whole country. In these shelters, there is space for 152 women and 304 children at any one time. There are two shelters serving the Arab community, one shelter for haredi women, and one "mixed" shelter, for both Jewish and Arab women. Two of the shelters serve women with special needs, and each one can receive three women at any one time (Almagor-Loten, 2011). These shelters afford immediate physical protection and security for battered women and their children, providing counseling and legal assistance. The shelters are operated by non-profit organizations, under the supervision of the Social Affairs Ministry.

In 2010, there were 937 requests for shelter, similar to 2009 (907 requests); 644 women were accepted; 137 women were accepted but never came for various reasons; 156 requests were rejected, either because of lack of space (122 requests), or because of not meeting certain criteria: place of residence (3), age of children (4), number of children (6), inability to speak the language (1), behavioral or psychological problems (9) or other problems (11). It should be noted that these statistics do not reflect the actual number of women who were rejected, but the number of requests rejected; a woman can apply to a number of shelters at any one time (Almagor-Loten, 2011).

In 2010, 765 women and 1,097 children stayed in shelters. Jewish women represent 56% of this number, 25% Muslim women, 6% Bedouin, 7% Christian, 2% Druze, and 3% with no religion. The ratio of non-Jewish women in shelters (44%) is far greater than the proportion of non-Jewish women to the general population (25%). Ethiopian women accounted for 12%, much greater than their proportion of the general population (1.5%). Women from the former Soviet Union represented 14% of the women in shelters.

Women generally stayed in the shelters for a number of months: 45% stayed for up to one month; 16% stayed between 1-3 months; 12% between 3-6 months; 13% between 6-12 months, and 1% stayed over a year. Twelve percent of the women were still in the shelters at the time of the presentation of these statistics.

Economic Assistance for Women in Shelters

Each woman in a shelter is entitled to a daily allowance, which is about 25% of the amount allotted for income support allowance (women in shelters are not entitled to full income support from the National Insurance Institute. Changes in this law have been proposed by various Knesset members, but so far nothing has been passed into law). Women who leave the shelter receive job-counseling and vocational training. In 2002 the Law for Benefits to Women Living in Shelters (Grant Adjustment) was passed. This law allows for a grant of 8000 ILS to any woman who has stayed in a
shelter for a minimum of 30 days, with an additional 1000 ILS for each child who has stayed with her. This law was effective for only a year, and it has not been renewed. Since then, there has been no financial assistance available to women leaving shelters from the Social Affairs Ministry, or actually from any government ministry. There have been two periods when special budgets were allotted for this purpose. In 2007, the Social Affairs Ministry received 1 million ILS for this purpose, and in 2011 the Ministry received 1.5 million ILS. There is a proposed bill in the Knesset for a renewal of the 2002 law.

Emergency Housing

This project was developed to help women who did not meet the criteria of the shelters. In 2005, four apartments were available for battered women, and 56 women stayed there with their 150 children. The average stay was six weeks. Eighty percent of the women completed their treatment program according to pre-set objectives. The demand for these apartments has decreased with the years, as women have found equivalent solutions within their communities. As a result, these apartments have closed, and there is no intention of re-opening them. The last apartment was closed in 2010. However, the number of women who were not taken into shelters (as cited above) shows that there possibly is a need for this sort of solution (Almagor-Loten, 2011).

Half-Way Apartments

These apartments offer an opportunity for a woman and her children leaving a shelter to undergo healing and recuperation, with a chance to rebuild their lives. Women in half-way houses live independent lives, while receiving counseling, legal assistance, and psychological support. Their caregivers are sensitive to the difficulties these women encounter while trying to build a new life, rejecting their status as victims, and hoping for a life without violence. Each apartment has space for two women and their children, and the average stay is 6-12 months.

Most of these half-way houses are operated by non-profit organizations which also run the shelters, with the exception of one apartment operated by the local municipality. There is usually one apartment per city; in Jerusalem the houses are operated by Na’Am, an organization founded to help women leaving shelters. In 2010, there were 14 half-way houses (ten subsidized by the Social Affairs Ministry), in which 48 women and their 90 children stayed (Almagor-Loten, 2011).

Shelters for battered girls and young women

There are four emergency shelters for young girls at risk, whose objective is to protect these girls from immediate danger, and to provide them with therapeutic treatment during this crisis. There is one such shelter for Jewish girls, one for Arabs, one for haredi girls, and one for girls caught in the sex trade. The shelters are operated by non-profit organizations under the supervision and with the subsidization of the Social Affairs Ministry. The girls are referred by social workers in the local municipalities or in the police force; the stay is voluntary and the length of time varies, with an average of two months.
Hotline for the prevention of domestic violence and violence against women

The first telephone hot line in Israel was opened in 1987 by the women's organization Wizo. The Social Affairs Ministry operated a national hot line in conjunction with Wizo, but this service has been discontinued. Instead, the Ministry opened its own line in Feb. 2010.

The calls to this line are varied: women, men, children, witnesses to violence, and family members are all represented. The service is available in a number of languages: Hebrew, Arabic, Russian, and Amharic. The Internet site of the Ministry reports 40,157 calls to the hot line in 2010.

Other organizations and non-profits operate hot lines, including the L.A. Organization (Fighting against Violence towards Women) has a 24-hour phone line operated by volunteers.

Treatment of Violent Men

The "Pleasant Home" Hostel was established for the purpose of treating violent men. The men leave for work in the morning, returning in the afternoon for therapy sessions and housework duties; the mandatory length of stay is four months. The men are referred from the judicial system; its success has been noted by the various judicial and enforcement agencies. Therapy is administered by trained social workers, and includes both one-on-one and group therapies. The Hostel is administered by "Beit-Noam", and it is subsidized and supervised by the Adult Probation Services of the Ministry of Social Affairs. Every four-month cycle includes thirteen men, with an annual total of 39 men treated. After their stay in the hostel is over, the men continue to receive outpatient treatment, either within their communities or at the hostel itself. The Ministry of Social Affairs also submits reports on violent men to the judicial and enforcement systems (Almagor-Loten, 2011).

Housing for Men Removed from their Homes

Apartments for men who were legally removed from their homes as a result of criminal or civil proceedings and have no other housing option are housed in two apartments, one in Haifa and one in Jerusalem. Each apartment can house 23 men at any one time. The men receive a roof over their heads, regular meals, and counseling in both a private and a group setting with social workers who have been trained in dealing with violent men. The stay in the apartment is for the length of the court order, and sometimes even longer should certain circumstances require it, although never longer than six months. The non-profit organization "Yachdav" administers an apartment in Beer-Sheva, which also includes intensive therapy for violent men who do not live in the apartment itself, but report for treatment on an outpatient basis. This project is financed by a grant from the Rashi Foundation and the Fund for Special Services of the National Insurance Fund (Almagor-Loten, 2011).

In 2010, 152 men applied for residence, and 62 were accepted. Those who were rejected did not meet the established criteria, either because of drug addiction, mental-health issues or lack of willing co-operation on the man's part. Two more such centers are planned for the coming years, one in the Tel-Aviv area, and one more in Jerusalem.
Sexual Offenses in Israel

Sexual Offenses Treated by the Judicial System

The various types of sexual offenses are defined in the **Penal Code, 1977** and in the **Sexual Harassment Law, 1998**. Within the category of sexual violence or sexual offenses are those acts which include a sexual nature performed on an unwilling victim – whether through physical contact, speech or visual representation. Recently, we have witnessed a widening of the definition of a sexual offense in the judicial discourse, especially regarding the crucial questions of consent and admissible evidence.

The Association of Rape Crisis Centers in Israel

- Telephone hot lines, providing immediate psychological support to victims, and referrals to appropriate community services. The hot line is open both to victims themselves and to those close to them.
- One-time accompaniment to agencies dealing with the offense (hospital, police, National Insurance Institute, etc.)
- Therapeutic support groups for victims and their families
- Legal counsel and court accompaniment
- Educational projects within the school system aimed at students, teachers, and parents
- Community advocacy projects providing awareness of sexual violence and harassment
- Training for professionals dealing with therapy for and support of victims
- Training for professionals in contact with victims (police, doctors, lawyers, etc.)

Statistics for Rape Crisis Centers, 2000-2010\(^4\)

Every year, the centers receive about 30,000 calls, 8,000 of which are from new victims. Half of all calls are connected to rape or group rape. For example, in 2010, 48.1% of the calls concerned rape or group rape, 23.4% reported incest, 17.8% concerned sexual harassment, and 10.4% involved indecent acts. About a fourth of the calls (24%) reported prolonged abuse, i.e., assault committed by the same persons or persons over a period of time. Over 87% of the victims knew their assailant. Two-thirds of the victims (67%) were under the age of 18.

Rape crisis center statistics indicate that of all victims, 20% decide to ask for their assistance. The fear of the difficulties of a trial and guilt and shame on the part of the victim prevent many women from exercising their legal right to assistance and support.

Sexual Harassment in the Workplace

\(^4\) All the Rape Crisis Centers operate under the auspices of the umbrella organization The Association of Rape Crisis Centers in Israel, which was established in 1990. The Association publishes an annual report on the number of calls received by each center. This statistic actually presents only a partial view of the extent of violence toward women in the country; as mentioned above, many victims choose not to report what has happened to them.
The Research and Economics Administration of the Ministry of Industry, Trade and Labor, with the assistance of the Association of Rape Crisis Centers in Israel, undertook a comprehensive survey designed to uncover the extent of sexual harassment in the workplace. The survey found that 11% of the respondents reported experiencing sexual harassment in the past year. This translates to 165 thousand women who were sexually harassed in the workplace in one year. It should be emphasized that the rate of report is about 20% of the actual number of cases occurring, so that the survey deals only with the tip of the iceberg. Also, since the survey was conducted online, it failed to reach many women who have no access to the Internet.

Further facts arise from the survey concerning preventive measures taken by employers. More than half (55.5%) of the women reported that the code governing sexual harassment in the workplace was not displayed, and 45% reported that they did not know the identity of the person assigned to handle cases of sexual harassment in their workplace (such a position is a legal requirement of all places of work). Another discouraging finding was that 43% of the respondents reported feeling a lack of personal security at work. 92% of the women who were victims chose not to report it, of these 42% felt that a report was not justified. In the few cases where the woman did report, actions against the harasser were few: in 35.1%, nothing at all was done, in 33.3% he was verbally admonished, and in 12.3% he was fired. In the Civil Service Commission, we also saw a rise in the number of complaints received, but in the years 2007-2010, the number of viable complaints stood at 50%.

**Sexual Offenses against Migrant Workers**

Unfortunately the protection of immigrant women workers in Israel is poor: most significantly, not one shelter exists in the entire country for these women. Although in 2004, the "Ma'agan" shelter was opened for foreign workers, only those women caught in the sex trade were admitted. The **Prohibition against Trafficking in Persons (Legislative Amendment), 2006** was expanded to include those traded for forced labor or slavery (according to Section 375a of the Criminal Code, holding persons under conditions of forced labor or slavery including the sex trade, is a crime punishable by 16 years imprisonment). Now it is up to the state of Israel to act responsibly (both towards its internal judicial system and to the international standard) to provide "physical, psychological and rehabilitation" services to all victims of forced labor.

Additionally, there is little supervision of immigrant women working as home health-care workers. By law, a social worker should regularly visit the workplace of foreign workers. The Ministry of Industry, Trade, and Labor requires that a social worker visit the home of her employer both before and immediately after the arrival of the worker. In addition, the employment agency directly responsible for the foreign worker must submit quarterly reports to the Ministry, accompanied by the report of the social worker, who has visited the house and spoken to the worker. The social worker must speak privately, without the employer’s presence, and present the worker with printed information in the worker’s native language detailing her rights and specifically outlining the dangers of sexual harassment. The social worker must of course be a neutral party – her employer is the state, and not the employment agency.

**Treating victims and perpetrators of sexual violence**
Treating the victims of sexual violence

The Rape Crisis Centers operate a hot line for immediate response to and support of victims, as well as referral services and accompaniment to the various agencies dealing with the case. Also, there are Regional Multidisciplinary Centers for the Treatment of Sexual Assault; these centers treat the physical, emotional, medical, psychiatric and legal needs of the victims, as well as accompaniment and referral to social services, such as vocational training, employment placing. There are six such centers in the country, five of which are administered by the Ministry of Social Affairs, and one administered by the Ministry of Health. The Center in Beer-Sheva is equipped to handle the Bedouin population, while the Jerusalem Center cares for the haredi community. The services offered include two day centers, two unique job programs for sexual assault victims, and a half-way house. In 2011 these centers had a combined budget of 6.5 million ILS. Over 800 women were cared for in the same year, 10% of them minors. 70% of the women were victims of assault by family members. In addition, the various services of the local municipalities for girls at risk care for young girls at risk of sexual assault or incest, both in one-on-one and group therapy environments.

Treating sexual offenders in incarceration

There are 1,129 men in the prison system convicted of sex offenses. Treatment given to them includes group therapy, administered through the auspices of the Division of Mental Health of the Ministry of Health, and through the treatment divisions of the prison service. The treatment is aimed at relapse prevention. There are a total of 134 places available within the prison system for this treatment. We have no statistics for prisoners treated in the year 2010.

Treating sexual offenders within the community

Treatment within the community for sex offenders is administered by either the Adult Probation Service or the Youth Probation Service, depending on the age of the offender. The Adult Probation Service treats about 700 offenders a year and about 450 youths. The treatment includes treatment groups: eight or nine therapeutic groups are active every year throughout the country, led by probation officers specializing in treatment of this type of offender. In 2010, about one hundred offenders participated in this treatment; day centers for treatment of sex offenders: in Oct. 2005, the organization "Keshet" opened a day center subsidized and supervised by the Adult Probation Service. The center treats 24 sex offenders with intensive therapy; the offenders receive a year of probation when their treatment is concluded. So far, 47 offenders have finished the course. Treatment of youth sex offenders: every year about 100 youths are treated by the Youth Probation Service, in 17 separate therapy groups throughout the country. Other youths are treated in individual programs run by private services, including closed boarding schools under the administration of the Youth Protection Authority, where youths are sent by court order. In addition, the Ministry of Social Affairs and the Adult Probation Service, with the co-operation of the Ministry of Health, operate a center for the assessment of sex offenders' potential danger to the community.

Prostitution and Sex Trafficking
In the wake of a series of newspaper articles written by Adi Oz-Shapira, the Knesset Committee on the Status of Women conducted two special sessions in June 2006 to investigate the issue of trafficking in women.\textsuperscript{15} During the second session, the Prime Minister made these promises: a budget of 15 million ILS to establish shelters and treatment centers for women and girls caught in the sex trade; a national hot line; three mobile clinics; a day center for rehabilitation; training of social workers in treating these women and girls and removing them from the vicious cycle of the sex trade. The funds would also be used to target women and girls in danger of sinking into this life.

These positive actions provoked a counter-reaction: hostility of the police toward Israeli-born women in the sex trade, and greater success in hiding brothels from public and police. According to official police statistics, there was a sharp drop in the number of cases filed against individuals engaging in the sex trade in the years 2008-2011. Along with this there was an increase in the number of the number of prostitutes arrested in those years, from 56 cases in 2008 to 344 in 2011.

Trafficking in humans for purposes of sex was first prohibited in \textit{Amendment 56 of the Criminal Code, 2000}. In 2006, the \textit{Prohibition against Trafficking in Persons (Legislative Amendment), 2006} was passed, which broadened the definition of trafficking to include slavery, forced labor, and the trade in human organs. The law provides for forfeiture of all properties owned by the offender and the establishment of a fund including these monies, as well as all fines paid by offenders. The purposes of the fund, as provided for in the law: battling the sex trade, rehabilitation of its victims, prevention of trafficking and awards to those victims who did not receive compensation as granted by the courts from the offender. For the first time in Israeli law, judges who decided not to award the victim of the crime must explain their decision.

In spite of all this positive legislation, the law ignores a large part of the rights of the victims. Victims of trafficking are in need of a lengthy period of recuperation and rehabilitation after the traumas they suffered, during which they must receive training and preparation for a normal life and occupation. This training would prevent them from returning to the cycle of degradation, making them again victims. The law also does not grant the victim resident status in the country, but rather leaves the prerogative to the Interior Ministry, which does not have consistent guidelines governing these cases.

\textbf{The Levinsky Mobile Clinic}

The Levinsky Clinic in Tel-Aviv was the first to provide immediate treatment to sex workers, both physical and psycho-social.\textsuperscript{16} The Clinic was established in 2002 as a response to the dramatic rise in the sex trade and the consequent number of deaths. Since then, the clinic has provided medical services to more than 20,000 individuals. These services include: testing, medical treatment, counseling on issues of sexuality, sexual relations, safe sex, prevention of STI’s and HIV. The sessions were conducted by social workers and physicians, and are provided for free, without respect to citizenship status, race, sex, sexual orientation, age, or occupation.

The flagship program of the clinic is its services to sex workers. The clinic travels through areas of the city known for the presence of sex workers and offers free service on the spot, including medical and

\textsuperscript{15} The meetings were held on June 21, 2006, and Jan. 1, 2007.

\textsuperscript{16} The Levinsky Clinic for the diagnosis, treatment and prevention of sexually transmitted diseases is administered by the District Health Office of Tel-Aviv.
psycho-social treatment. The clinic's program is three-pronged: services of the "Mobile Clinic", group support programs, and individual psycho-social treatment. The clinic was awarded the Social Work Clinic prize in 2007, and since 2008 has been supported by funds from the Authority for the Advancement of Women in the Prime Minister’s Office.

The working model of the Clinic includes two social workers, two treatment counselors, a female physician, a male physician, a nurse, and two drivers. In addition, fifteen volunteers (both men and women) are involved in many support activities. The Clinic is a partner in inter-agency networking, which treats many of the subgroups on the periphery of the sex trade, and which promotes public awareness of the dangers of the sex trade for both individual men and women, and for society as a whole.

Who are the women in the sex trade?

We are finding more Israeli-born women in the sex trade than in previous years, many of them single mothers. We also see a large proportion of women from the former Soviet Union, many of them also single mothers. There are Israeli-Arab women, Arab women from East Jerusalem and Druze women. Women from Eritrea and Ethiopia who have been given asylum-seeker status are beginning to appear in the world of the sex trade. We find transgendered women, many of them very young. There are many similarities in the life stories of all of these women. Physical and emotional neglect in childhood, and exposure to physical, mental and sexual abuse are all elements of their histories. The women tend to repeat the type of relationships familiar to them from childhood, characterized by excessive dependence, with ensuing violence and abuse directed at them from their partner. Low self-esteem, lack of belief in themselves and their surroundings are also typical. The path to sex work is accompanied by economic and emotional distress. Because of the emotional burden under which they live, many turn to drugs, finding themselves in debt to drug-dealers who then turn them into sex workers. Many of their partners are also drug addicts and they find themselves forced to provide drugs and money to him as well. These women carry the financial burdens of their partners, their children, and many times their parents as well.

The fact that most of these sex workers are mothers is well known by those familiar with this population, but not understood by society as a whole.

Many employers will not hire transgendered women because of their sexual identity (Whittle, Turner & Alami, 2007). The Equal Employment Opportunities Law of 1988 does not protect these women from discrimination, and leaves them without adequate judicial protection. So we see that discrimination against transgendered women is a major cause of their being reduced to sex work.

Because they lack trust in the medical profession, many transgendered women rely on word-of-mouth information, street purchase of hormones, and self-injection of silicone breasts (Lombardi & David, 2006). Emergency services have difficulty dealing with this group of women, due to lack of appropriate professional training and to the lack of programs providing immediate care for them. As a result, they turn to the clinics available to the larger population of sex workers. So we see that those transgendered women with a motivation for leaving the sex trade find it even more difficult than other women.

Medical aspects
Women in the sex trade suffer from a range of medical problems: STI's, viruses, exhaustion, depression, headaches, pains in the abdomen, back, and head, chronic hepatitis, cervical cancer, chronic vaginal infections, and eating disorders. As a result of regular head traumas suffered from beatings from their pimps, many suffer from traumatic brain injury (TBI). This in turn leads to problems in concentration, memory, balance. Their traumatic experiences cause flashbacks, insomnia, anxiety, et al. Treatment of women who have been involved in the sex trade requires that the counselors recognize that these women are actually trauma survivors, and that the counselors should be trained in dealing with PTSD and CPSTD (Complex Post-Traumatic Stress Disorder). All these difficulties can persist for many years after leaving their former lives.

The "Sal'il" Project: A Therapeutic Support Program

In 2006, the Olmert government was presented with a comprehensive plan for removing women from the cycle of prostitution. Anat Gur, author of the book Loose: Women in Prostitution and Tzipi Nachshon-Glick, former head of the Division of Family Violence of the Ministry of Social Affairs, were the creators of this program, which constitutes a basis for establishing an inter-ministerial program in aid of women in the sex trade. Those whose support was invaluable include Miriam Danon, former advisor to the Prime Minister for Women's Affairs; Zahava Galon, who, as a member of the Knesset, worked untiringly for victims of the sex trade; Orit Zuaretz, who served as Chair of the Subcommittee on Trafficking in Women in the 18th Knesset; Attorney Rachel Gershoni, co-ordinator of the Inter-Ministerial Task Force on Trafficking in Women; Attorney Naomi Levankorn of the Human Rights Clinic, who battled for recognition of the rights of sex workers within the law. Many organizations were involved in the battle against prostitution even before the founding of Sal'il.

The definition of prostitution, according to Sal'il, is broad, and includes all "barter" activities, where the woman sells her body in exchange for money, drugs, housing, protection, or other benefits. Sal'il provides a solution for any women caught in this web, whether she works on the street or in another setting: cars, discrete apartments, escort services, strip clubs, Internet prostitution, or the apartment of a 'sponsor'. Solutions offered by Sal'il are varied and appropriate to each woman's particular situation, and include psycho-social treatment and support, housing (either temporary or permanent), drug rehabilitation, vocational training and support, legal advice, etc.

The principles of treatment in Sal'il are based on models of treatment for PTSD and CPTSD. The treatment is primarily psycho-dynamic, with cognitive-behavior elements based on the theoretical work of Judith Herman and others in the field. Building primary trust from the women is the main objective; this is done by providing a safe and secure environment so that they may take their first steps out of the world of prostitution and toward a life of economic, social, and emotional independence.

There are two main tracks to the Sal'il project, reflecting experience in the field: the first is "Damage Control", whose primary objective is provision of immediate and personal support to women who are in the world of prostitution. This support includes material aid: emergency housing, food and clothing; support and accompaniment vis-à-vis the bureaucratic system (National Insurance Institute, Housing Ministry, Interior Ministry, Health Fund, etc.); help in entering drug-rehabilitation facilities; psychological support, including weekly meetings designed to decrease feelings of anxiety and helplessness. The second track is "Therapy and Rehabilitation", giving women who have left the
world of prostitution tools for meeting their new environment: economic, vocational, psychological, legal, etc. Security and support in these areas make the transition from one world to the other possible.

The main goal of the Sal’it project is to find the appropriate response to each woman’s needs, while trying to reach as many women as possible. The project uses outreach to women still in the world of the sex trade. The program then finds the appropriate track, with women moving from one to the other as their needs require.

"Damage Control" Track

This includes all activities meeting the needs of women at the beginning of their passage out of the world of prostitution, including a 24-hour hot line, emergency housing in Tel-Aviv and staff visits in areas known for the sex trade. The guiding principle of this track is that women involved in prostitution suffer from a large number of hardships and that their stress comes from many sources. The program addresses their immediate needs, offering a safe and secure environment from which they can begin to deal with the complex nature of their situation.

Tours of prostitution hot spots

Once a week in the evening and night hours and once a week during the day, staff members, accompanied by the Levinsky Mobile Clinic, visit areas of prostitution in the Tel-Aviv area. The staff includes the program director, the hot-line co-ordinator, and a counselor-mentor. The goal of these visits is to establish an atmosphere of trust and communication with the women, including those women who do not want to leave prostitution but are willing to receive some help. These visits are very important in building trust among the women, and much care is taken to ensure that these visits are consistent and on time. The staff is also involved in minimizing immediate damage to these women, on-the-spot. Sometimes as much as six months will pass from the first meeting until the woman feels secure enough to request the hot-line phone number and to reveal her real name. In the past two years, the staff has met with over 300 women; some of them had already had contact with Sal’it and had spent time in its emergency housing (35%), and for some it was their first acquaintance. About a third of the women made telephone contact and 40% of these were referred to drug rehabilitation and other Sal’it facilities.17

National Hot Line for supporting prostitutes

The hot line is available 24 hours a day, seven days a week, to women, their families, or to community agencies referring women in need of assistance. The hot line was set up to provide access to appropriate support agencies and immediate care to women who have no other support at hand. The hot line staff includes a co-ordinator (a clinical criminologist), and volunteers. During the night hours, the staff of the emergency apartment is present to answer any needs of callers. In the two years of Sal’it’s existence, 223 women were in contact with the hot line. Most of these women (65%) kept steady contact with the hot line for a period of two-three months, while 30% were one-time callers, some of them family members of women in prostitution, who called to ask for advice or assistance, but were unwilling to leave a name or a contact number. About 47% of the callers were referred to further support: psychological counseling, rehabilitation, etc. An Internet site with a

17 All the statistics presented here are for the years 2009-2010.
support forum was set up in June 2010. At present, many women who are in the sex trade other than street prostitution are involved in Internet activities: sex sites, forums, blogs, Facebook, and other specific sites.

**Emergency apartments**

The emergency apartment is available for women still involved in prostitution and drugs. It is located in the center of these activities, near the Central Bus Station in Tel-Aviv, in order to provide maximum accessibility to women in need. It is open 24 hours a day, year-round.

The staff of the apartment includes the director (master’s degree in social work), a social worker, a housemother, four counselor-mentors, and volunteers. The apartment offers an unlimited stay, and includes three meals a day, a shower, clothing, medical care, help with contacts in social agencies and the judicial system, and accompaniment to therapeutic and rehabilitation facilities. Some women reach the apartment for an hour or two, others stay for a year.

In the two years of Sal’it’s existence, 355 women have stayed in the apartment. There are 34 entrances a day from 22 different women. All the women live on the street and are drug-users. About 40% of the women (135) were referred to drug rehabilitation centers; of them, 51 finished the course (37%) and were then referred to other appropriate care settings.

**Rehabilitation and treatment track**

This track includes a day center, a rehabilitation hostel and vocational support. It is aimed at women who are taking their first steps out of the world of prostitution and are drug-free (after a stay in a rehab program). The support offered is all-inclusive, covering every aspect of normal life: housing, finance, employment, health, legal aid, building a new bond with children and family, and treatment for stress and trauma.

**Employment**

The Sal’it project stresses employment as the primary objective for women in the program. Sal’it’s goal is to find an appropriate employment opportunity for every woman who participates in any aspect of the program: hostel, day center, and hot line. The staff involved in this work includes a co-ordinator with a master’s degree in social work, and a counselor-mentor. The women are supported both individually and in groups. The day center offers classes in work-readiness (at the day center), and a support group for women already at work. The co-ordinator is in contact with the women’s employers.

Over time, a group of employers in different areas have become “friends” of the program, and have been supportive of women referred to them by Sal’it. They represent an important link in the support system for these women and have been influential in helping them turn their lives around. Thirty-nine women have gone through the Sal’it employment process, and as of the end of 2010, twenty-three of them are employed.
Day centers

The goals of the day center are to assist women in building lives of rich and varied experience, both in work and in their free time. The center accepts women living in the program's hostel, as well as other women who have independent living arrangements. The center's structure is similar to that of a work environment, requiring the women to acquire a variety of skills in order to succeed with its framework. It also functions as a social center and as the first step in the woman's path to a normal life. The women are able to acquire regular work habits as well as vocational training. The staff includes the co-ordinator (a clinical criminologist), as well as three staff members from the fields of social work and criminology, a caregiver-mentor who supervises the day program, and a housemother who is in charge of the evening program. The center includes three tracks: a day program, an evening program, and an out-patient program.

In the last two years, 117 women have participated in the center's program. The morning program includes 95 women, 28 of whom (30%) successfully completed the course and entered the workplace. Thirty-three participated in the evening track, and eighteen in the out-patient program.

National rehabilitation hostel

The hostel is available to women who want to leave the world of prostitution and build a normal life. These women need housing and intensive psychological support for at least a year. They are mainly homeless and in need of constant, all-around care. The hostel provides them with a safe environment and with tools for dealing with deep trauma and distress, as well as with skills for living in the world. The hostel has space for thirteen women at any one time, and operates 24 hours a day, year round. The hostel is a real home for these women and provides a positive example of the way a home should operate, as opposed to the homes that most of these women were exposed to in their lives. The staff includes the co-ordinator (a clinical criminologist), two caregivers, a housemother, and three counselor-mentors.

The day's schedule is stable and includes: participation in the day program of the day center or going to work (according to the treatment stage of each woman); the afternoon includes a different program every day of the week: individual therapy, group participation, attendance at NA meetings, etc. Alongside the therapeutic schedule, the women are required to participate in housework, cooking, meals and a scheduled rest period. All these activities are supervised by the staff, with closer supervision for the newer members, gradually becoming more lenient as the woman proves herself to the staff. Each woman is expected to join the working world after about three or four months of participation in the day program at the center, with the support of the employment co-ordinator.

The half-way house was opened in July 2010, intended for women who have finished their year at the hostel and need a gradual return to the world. The apartment has space for four women, who lead independent lives as room-mates, responsible for the upkeep of the apartment and for the rent. All the women are employed full-time and are advised by staff members of the hostel. They are in daily contact with the hostel, and participate in therapy groups and in individual treatment.
In the two years of the program, 76 women have lived in the hostel (including the women who moved on to the half-way house). Nine women finished complete treatment at the hostel, and fifteen women left the hostel, but continued to come for therapy.

**Girls and young women involved in prostitution: characteristics and existing interventions**

Both the public and professional discourse on prostitution has tended to ignore the subject of minor girls. Recently, however, young girls have been the object of more serious investigation and with it a realization that the differences between the sexes in adults are reflected in the different experiences of young boys and young girls.

Prostitution represents a coping strategy for young girls who must face life in a stressful, unsupportive situation. The research shows that young people faced with lack of support from their environment use three different coping strategies: crime, drug use, or prostitution. As a rule, young women choose the third option. It is estimated that of minors involved in prostitution, 75% of them are young girls.

The definition of prostitution of minors is "aiding and abetting minors to participate in sexual activity with no emotional involvement, in exchange for money or any other goods or services (food, gifts, housing, etc.)." Furthermore, the activity is repeated with the same person or with others. The definition includes two other categories: international trafficking in minors and child pornography.

This broad interpretation of the acts of child prostitution was adopted by the Inter-Ministerial Committee for the Investigation of the Commercial Sexual Exploitation of Minors in Israel of the Knesset. It includes not just child prostitution as it is represented in books and movies, but rather a wider variety of activities. It emphasizes the adult as the instigator and offender and the minor as the victim. We can therefore say that in relation to minors, "sex work" is an unfair and distorted term for what actually takes place.

**The spectrum of prostitution among young girls**

The organization "Elem" has run its project "Night Cities" for the past decade. This is a therapeutic-rehabilitation program for young boys and girls who are victims of sexual commercial exploitation. The program, which began in 2001 on the recommendation of the Committee mentioned above, grew apace, and now operates in Haifa and Tel-Aviv, in conjunction with the Program for Women and Girls in Prostitution of the Ministry of Social Affairs. In addition, the staff of Elem meets with girls all over the country. Experience has shown that young girls do not operate publicly on the streets, which makes the act of finding them that much more difficult. In light of the formal definition, we can enumerate several types of prostitution among young girls:

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18 http://www.elem.org.il/im/cat2.asp?catid=127&ArticleID=611
19 The first year and a half of the project was subsidized by various governments Ministries. From the conclusion of the pilot project in 2002 until 2008, Elem was the sole source of funding. Since the beginning of 2008, the project has been funded jointly by the Ministry of Social Affairs and the Foundation for the Development of Services for Children and Youth at risk of the National Insurance Institute.
1. A sexual act performed in return for a benefit of some kind: the girls do not identify themselves as being involved in prostitution, and even their surrounding community does not see it as such. This activity, which can be seen in many cities, neighborhoods and communities, is called by the girls a "sex treat" or other slang terms. These girls are midway on the spectrum of completely disconnected youth, and girls who are functioning and studying in a normative social setting.

2. Sexual acts in an open, recognizable setting. For instance: streets, squares, shopping malls, street intersections. Usually, young girls are not found in these settings.

3. Closed areas: clubs, spas, apartments, hotel rooms rented by the hour, etc.

4. Internet sex, either on "legitimate" sites, such as social network sites and chat rooms, or dating sites, sex sites, and others.

Most of the areas where young girls are found are "hidden" sites, making it difficult for counselors searching for young girls in trouble to find them. It also makes estimating their numbers very difficult.

**Can the scale of prostitution amongst girls and young women be accurately estimated?**

The Brookdale Institute conducted research based on the young girls treated by the Service for Girls and Young Women of the Ministry of Social Affairs. The research was published in 2005, and sampled the 17,000 girls who received aid from the Service. The survey showed that 5% of the girls treated were involved in prostitution and another 20% of the girls waiting for treatment were so involved. Another 12% performed sexual acts in exchange for benefits (to quote the language of the survey), and 36% of the girls waiting treatment reported that they did so. According to the definition of child prostitution, this means that actually 17% of the girls (3,000) treated in one year by the Service engaged in prostitution. To this we must add those girls who were waiting for treatment and those girls not tracked down by the Service. We can therefore assume that a few thousand young girls are involved in these activities in Israel every year.

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20 One such term, "nicham", is used exclusively by Ethiopian girls.
Eighth Chapter: Intimate relationships and family

Foreword

A democracy is defined by the level of liberty and equality it affords all its citizens. Israel aspires to be a democratic society, but, judging by the status of women under the law, the State falls considerably short of its ideal. This is especially the case when we consider laws of personal status, specifically the laws governing marriage and divorce. Women have never participated in shaping or implementing these laws. Orthodox Judaism is the prevailing force in the law, and does not recognize women’s equality. In this chapter, we will deal mostly with the laws governing marriage and divorce as it pertains to Jewish citizens of Israel. We will also survey alternative marriage arrangements, as well as the laws governing Arab citizens of Israel.

Israeli law has determined that all laws governing marriage and divorce are under the jurisdiction of religious councils representing the different religions. This means, in practice, that all Jewish citizens must act according to the dictates of Orthodox Judaism. Many Jewish couples have refused to relinquish their marriages to the Orthodox Jewish establishment, and have instead opted for a civil marriage abroad. This act, however, does not remove them from the hold of the religious councils: if they should wish to divorce, this must be done by the rabbis, rather than by the civil courts.

Two separate court systems exist for overseeing personal law. The first, as we have mentioned, is the rabbinical court, which is the exclusive authority in matters of marriage and divorce. The second court system, the civil courts, handles matters of custody, inheritance, guardianship, and alimony, but only with authority parallel to that given to the rabbinical courts.

Israel, along with the rest of Western countries, has seen a rise in the number of divorces. Orthodox Judaism does not recognize the right of the wife to divorce her husband, and there are many Jewish women who are considered married, although they in fact live apart from their “husbands”, who refuse to “give” them a divorce. This is not simply a semantic matter. Many women consider marriage sacred, and would not wish to begin a new relationship or start a new family, outside of the marital framework. It should be noted that, under Orthodox law, any children born to such a union are considered illegitimate. Moreover, these women are also financially dependent on their former spouses, so long as they are not divorced legally. The men, in such relationships, hold all the cards.

The order of the Babylonian Talmud has the Tractate on divorce before the Tractate on marriage. One explanation for this reversal is that the rabbis would have each couple weigh carefully the responsibilities and seriousness of their commitment, and to understand the solemnity of their act.

In this chapter we outline the various alternatives available to Israeli women, and the limitations of each one of these alternatives, before they enter into a marriage.
Marriage, alternative options, divorce: Jewish women's choices in Israel

The desire to marry, or co-habit as part of an alternative arrangement, is a human right recognized in Article 16 of the Universal Declaration of Human Rights, 1948 of the United Nations:

(1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.

(2) Marriage shall be entered into only with the free and full consent of the intending spouses.

(3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

The state of Israel seemingly adheres to this standard, as seen from the definition of the family framework by former Supreme Court Justice Aharon Barak as a "legal unit". Barak writes "... The individual has a constitutional right to establish a family unit, to hold it, and to prevent damage to it." (Barak, 2000: 1149) But there is no such right established in the Israeli law of today. This is in spite of the cultural and social emphasis laid upon the value of marriage and family (familism). (Yizraeli, 1997; Fogel-Bizawi, 1999) Israeli society considers these areas not merely of a personal nature, but of importance to the state and to the polity.

So it would seem that the Israeli emphasis on familism is in concert with the third section of Article 16, which also sees the family as the "natural and fundamental group unit of society". However, the Jewish-democratic state of Israel, in the 21st century, nowhere conforms to either the declaration of Justice Barak, or to the first two sections of Article 16. There is only one possibility for all citizens of Israel – Jewish, Arab, or Christian – to enter into the state of matrimony, and that is in conformity with the religious institutions of the State. In the case of Jewish citizens, this means to be under the thumb of the Orthodox Jewish establishment. This in turn means that hundreds of thousands of Israeli citizens cannot or do not marry within the system, either because they are not recognized by the religious authorities as worthy to be married under Orthodox Jewish law (non-Jewish, illegitimate, etc.) or because the system itself does not reflect their own values, and so they would rather opt out. In addition, there are thousands of women who cannot obtain a divorce from their husbands and are unable to move on with their lives. In conclusion, we can say that although there is discrimination against women in many aspects of life in Israel, with regard to matrimonial laws, this discrimination is anchored in the law itself. (Corlander, 2010).

Statistics on Families, Marriage and Divorce in Israel

In 2011, the Central Bureau of Statistics published a statistical breakdown of women and families in Israel (CBS, 2011a; CBS, 2011b). According to these statistics, there were 1.77 million families in Israel in 2009, 81% of them Jewish and 17% Arab. A family averages 3.73 persons (3.5 in Jewish
families, 4.9 in Arab), but only about half of these families consists of two parents and children under 17.

A clear majority (96%) of couples in Israel is married, and among men and women aged 45 and over, 95% have been married at least once. The rate of unmarried couples (4%) puts Israel on a par with Italy, and much lower than other Western countries, including the US, Ireland, the Netherlands and the Scandinavian countries where the number of unmarried couples is about 25% of all couples. However, the number of co-habiting couples, the overwhelming majority of whom is Jewish (95%), has been growing rapidly, and in 2009, was double the rate for 2000. Although in the years 1985-2005, there was a considerable decrease in the rate of marriage in Israel, 2005-2008 saw a certain increase (CBS, 2010). In 2008, 6.8 per thousand citizens married, which translates to 50,038 couples in all (ibid). This is a relatively high rate in comparison to other Western countries.

We can also see that the rate of marriages in the Arab and Druze populations are relatively higher than in the Jewish and Christian communities, and that the rate of divorce among Jewish couples is higher than that of other religious groups.

The average age of women marrying for the first time has also been on the rise, reaching a high of 24.7 in 2008. In comparison, the average age in 1995 was 23.4 and in 1980 – 22.4. The average age of Jewish brides (25.7) and of Christian brides (24.9) was comparatively higher than of Muslim brides (21.3) and Druze (22.5). However, the average age for all Israeli women (24.7) was still lower than that of their European counterparts, which stood at 28.1 (CBS, 2009a). Additionally, the age of women at the birth of their first child is also rising, which shows the strong connection between marriage and fertility.

As opposed to the number of marriages, which decreased from the 1970’s until 2005, the number of divorces in Israel has been rising steadily in the last four decades (CBS, 2010). In 2008, there were 1.8 divorces per thousand citizens, which are 13,488 women, whose average age was 38.1. Of the Jewish couples married in the years 1971-1968, 7% divorced after eight years of marriage, whereas among couples married at the beginning of the 2000's, 13% divorced after the same number of years (CBS, 2011b).

The rise in divorce is consistent with the public attitude toward the act itself. The social survey of 2009 (CBS, 2009b), shows that over 50% of the adult population (57%) agree that divorce is a viable option for couples whose marriage is troubled. This attitude is the same among Jews and Arabs, men and women. However, if we segment the respondents according to degree of adherence to religion, we can see a large gap between traditional and secular (58% and 65% respectively) who favor divorce as an option, and a much lower rate among religious and haredi (45% and 29% respectively).

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21 In terms of size and makeup of the family, the Tel-Aviv district includes 35% of families with six or more persons, four times the rate of Jewish families of this size.
Marriage and Divorce in Israel under the Religious Law

The absolute authority of the religious institution

Marriage and divorce in Israel fall under the authority of the citizen's religion; this situation is a legacy from the British Mandate of 1922-1947. The state passed the Law Rabbinical Courts Jurisdiction (Marriage and Divorce) Law in 1953, and the Druze Religious Courts Law in 1962. These laws grant the religious courts the absolute authority to decide matters of marriage and divorce. The religious courts are comprised of the Jewish rabbinical courts, the Sharia courts of the Muslim population, the Church courts of the Christians, and the Druze religious courts. The marriage ceremony in Israel, then, is distinctly religious; there are no civil ceremonies for either marriage or divorce. In the past (and today as well), there have been many attempts to establish alternative ceremonies; we will expand upon this subject further on. According to a Supreme Court decision of 1962, the Interior Ministry must officially recognize marriages contracted abroad by recording them in the Population Registry (HCJ 143/62). However, subsequent divorce resulting from this type of marriage still must go through the religious courts.

On the social and cultural levels, this secession of authority over purely personal matters to the religious institutions is very problematic. The life styles and personal attitudes of a large proportion of the population do not conform to the dictates of any religion, and this can be seen as an unwanted intrusion into private lives. The CBS conducted a survey in 2009 to determine how each citizen identifies him/herself on the question of religion and the state (CBS, 2009b), and we will now discuss the results.

We can clearly see from the survey that a majority of the Jewish population (67%) does not define itself as religious. This is a direct result of secularizing trends in society, and of the great influx of immigrants from the former Soviet Union. At the same time, 87% of the Jewish population do consider themselves traditional and observe some religious ceremonies, chiefly the Passover Seder and the lighting of candles on Hanukah. As to the question of the separation of church and state, 57% of Jews over the age of 20 feel there should definitely be a separation (14% of haredi, 23% of religious, 44% of traditional, 58% of traditional but not so religious, and 77% of secular). 66% of the Jewish population feels that there should be an option of a civil marriage. Most respondents felt that the religious establishment has been getting stronger rather than weaker in the recent years, in inverse proportion to the rise of these liberal attitudes.

Yariv Feniger and Guy Ben-Porat of Ben-Gurion University published research in 2011 showing that two-thirds of the Jewish population supports civil marriage, although only a third would themselves marry in a civil ceremony. Sylvia Fogel-Bizawi (1999), based on her own research, found that the majority of the Jewish population feels that this identification of religion with the state encourages the religious population to identify positively with the State. So the existence of civil, or even Conservative or Reform ceremonies is considered a betrayal of the basic identity of the State, in the eyes of both Orthodox Jews and even many secular Jews. Dr. Hannah Kahat, the founder of Kolech – Religious Women's Forum, offers another explanation (2008): religious and

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22The Marriage and Divorce Registration Ordinance of 1919 defines: “The registering authority is the clerk charged with the marriage ceremony in a civil ceremony, the Imam in a Muslim ceremony, the priest in a Christian ceremony or the rabbi in a Jewish ceremony.”
haredi men join together with secular men in political coalition again and again to preserve the male hegemony in law and politics, depressing women's rights in the process.

On an international level, this situation is also harmful to Israel. The State ratified the United Nations International Covenant on Civil and Political Rights of 1966 and the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) in 1979, but attached reservations to Articles 7b, 16 and 29. These reservations concerned opposition to the appointment of women to posts in the rabbinical courts, the affirmation of the continued jurisdiction of the religious courts in personal matters, and opposition to the settlement of human rights violations in the International Court at Le Hague (Halperin-Kaddari & Megiddo, 2011). The State's support of the absolute authority of the religious councils over personal matters is a direct contradiction of both the spirit and the letter of the International Covenant and of the CEDAW, which grant the freedom to marry and divorce to every man and woman according to his/her own free will.

In 2011, the Committee on the Elimination of Discrimination against Women reviewed the national reports submitted by Israel in order to monitor progress made by the state in eliminating discrimination towards women. In its follow-up report, published in April 2011, the Committee noted that although some progress was made in eliminating discrimination, the Gordian knot of state and religion, specifically as it relates to the status of women, contributes to a massive lack of equality for women in Israel. For the first time, the Committee specifically called on the state to establish a system of civil marriage and divorce for all its citizens. The committee also recommended that the divorce procedure follow the principles of equality professed by the State, rather than the discriminatory religious law of today, which allows power in the relationship to be held entirely by the man.

"Race to the Authorities": Jurisdictions of the Civil and the Rabbinical Courts

As we have stated, the State has granted exclusive authority to the religious courts to dissolve a marriage. However, there are additional issues surrounding divorce that may be handled by the civil family court: division of property, custody rights, inheritance, and so on. In these matters, the civil court has parallel jurisdiction with the religious courts. This creates a critical situation whereby the first member of the couple to be granted a decision, whether by the rabbinical or by the civil court, wins all. The law basically directs a couple planning to divorce to run to the courts as quickly as possible. Justice Aharon Barak was the first to term this situation "race to the authorities" (HCJ, 1000/92).

This is definitely not merely a technical matter. Because each type of court represents a different world view and uses different judicial methods, including rules of evidence, etc., the perception is that the rabbinical courts favor the man while the civil courts favor the woman. The gap between the two system of justice, and the tension between them, creates a lack of public confidence in and disrespect for the entire judicial institution.

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23 It should be noted that the authority of the court to rule in auxiliary issues of a divorce is dependent on the entailment of these issues with the divorce (get) itself, upon fulfillment of three conditions: integrity of the claim, integrity of the entailment and legality of the entailment.
Even though there has been general agreement in the judicial community that something must be done to reform the judiciary, nothing practical has been accomplished. In June 2010, then-Minister of Justice Yaakov Ne'eman appointed a committee to investigate the "race to the authorities", and its first conclusions were published in July 2011. The committee recommended that first, the couple should try to agree on which court they would apply to, and if they could not reach such an agreement, the case would be turned over to family court. In the wake of this decision, a public furor arose from the rabbinical courts and a personal attack on the chairman of the committee was launched.²⁴ The chairman was Rabbi Shlomo Dichovsky, hitherto a well-respected judge in the rabbinical court system, who had enjoyed complete confidence of the rabbinical courts, as well as respect from various women's groups. The rabbinical court judges threatened a coalition crisis. Rabbi Dichovsky, on his part, tried to resign from his post. It is still too soon to see where this crisis will lead, and we can only say that the religious and political aspects of the case are extremely volatile.

Marriage and divorce in the Jewish-Orthodox rule

Jewish law has evolved over two thousand years without any input from women. Because of this, the traditional commentary on and decrees of the law have never brought women's experience or viewpoint into account. It is no wonder that in modern times, the gap between traditional Orthodox Jewish law and the status of women is so huge. Actually, Halacha (traditional Jewish law) had always changed and developed according to time and place, but the State of Israel, by adopting a particular (haredi) strain of Orthodox Jewish law, perpetuated a more stagnant and conservative form of interpretation.

In most Western countries, if one member of the marriage wants a divorce, he/she is free to petition for one, and then get on with his/her life. In some states, there is a request for cause, while in others, there exists what is called "no-fault" divorce. The Jewish tradition includes jurists such as Maimonides, who posited the "Mais Ali" clause (literally, "I'm sick of it", but more or less parallel to "mental cruelty"), as a reason for a woman to demand a divorce without having to prove guilt on the husband's part. However, the rabbinical courts follow the stricter tradition of Rabbeinu Tam, which does not accept the "Mais Ali" argument and narrows the possibilities for granting a divorce to the woman.

In other words, a woman who cannot prove grievous harm to her on the part of her husband cannot receive a divorce, if the husband does not want one as well. The husband, according to Jewish law, can leave a marriage any time and for any reason. Any excuse the husband finds, including "she spoiled his food" (according to Beit Hillel), or "he found someone prettier" (according to Rabbi Akiva), is good enough for the court. (Mishnah, Divorce Tractate, 9,10). Over the centuries, the Halacha has nonetheless ruled that the husband must have more substantial reasons for divorcing his wife. But the Halacha still remains unequal. For instance, if the wife refuses to give her husband a divorce, he may get a special dispensation called "permission from 100 rabbis"²⁵ to marry another woman. No such possibility exists for a woman, who cannot move on and marry again if her husband refuses a divorce. Additionally, a man who has children with a

²⁴ For a full account, see the report issued by Yaakov Eliya, certified accountant and auditor of the public sector.
²⁵ There were only 42 such cases in the years 2004-2007 (Halperin-Kaddari & Karo, 2009).
woman not his wife may be considered immoral, but his children are not illegitimate, while a married woman who has children with a man not her legal husband has bastards in the eyes of the law.

**Rabbinical courts**

The rabbinical courts operate under Israeli law, and its judges are civil servants, yet they do not always seem to recognize that they are obligated to the standards of Israeli law. Israeli law states that when the divorce case involves civil issues such as property rights, etc. the civil law must be followed (HCJ 1000/92). In practice, the rabbis do not follow civil law, many times because they are not conversant with it, not being lawyers themselves. Additionally, the rabbis often pressure the woman to give up rights and privileges afforded her by the civil court, with an eye to appeasing the husband and convincing him to agree willingly to a divorce. Because of the "race to authorities", a woman must frequently transfer her civil case of property rights, custody, etc., from the civil court to the rabbinical court, in hopes of receiving a divorce.

Not only do the civil and rabbinical courts differ on matters of substance, but within each system there are broad differences in attitude and judgment. There is no law of precedent in the rabbinical courts and the same arguments can be judged differently in different religious courts. Also, the regional rabbinical courts do not always see themselves to be obligated by the decisions of the central rabbinical court in Jerusalem, which also acts as an appeals court. Women may win a favorable decision on appeal to the Jerusalem court, but the regional courts will not obey the decision and the woman is left helpless.

The problem is put into sharper relief when we realize that 90% of those requesting a divorce are not religious (Ha'aretz, 15/6/10), but 83% of the rabbinical court judges are haredi and 17% are national-religious (Knesset, 2007). We can thus infer the wide disparities in world view, ethics, and attitudes between judges and those who come before them. This can result in a deep division of opinion, the core of which most probably lies in each side's attitudes towards women and women's legal rights. The Supreme Court did rule that in cases where the rabbinical courts harm the woman's basic and human rights protected by Israeli law, the Court must step in; in practice, this seldom happens, since the Court is loathe to subvert the authority of the rabbinical court and its judges.

In addition to the problems listed above, including the "race to the authorities" and the husband's refusal of divorce, the rabbinical courts is plagued by mismanagement and by lack of ethical integrity. Many cases are held up by the absence of judges, by lack of formal records, and by the refusal of the courts to publish their discussions for public scrutiny. This makes it difficult for the State to supervise and inspect the actions of the rabbinical courts (Englander, 2006). In August, 2011. Yaakov Eliya, an independent auditor of government systems, published a report entitled "Corruption in the Rabbinical Courts". The report includes the following points: the rabbis' lack of training in civil law, unfair nomination practices, graft and bribery, influence-selling, lack of proper courtroom procedure, lack of proper work ethic, arbitrary judgment in granting divorce,

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26 Halacha recognizes the concept of "mistress" (pilegesh) a woman not married to the man with whom she has sexual relations. Such relationships were common in Talmudic times (Zohar, 1996).
discrimination against women in staff recruitment and employment, severe defects in record-keeping, lack of expert testimony, lack of supervision from the Supreme Court, etc., etc.

The legal position of rabbinical court judges is exactly parallel to the position of civil court judges. At the head of the institution are the Head Rabbis of Israel, who function alternately as head of the Jerusalem rabbinical court. In the last few years, the nomination of judges has become tainted by political considerations. Judges are not nominated according to their legal background, their sensitivity, their obligation to the democratic and Zionist state from which their power derives.

Various social groups committed to responsible and clean government have registered their protests concerning the grave flaws in the system: backroom political deals in judges’ appointments; appointment of judges unfit for the court, either through lack of proper training or because of their dubious judicial record; lack of transparency in the nomination process.

Moreover, there has been criticism of the lack of female representation on the nominating committees. In answer to this criticism, in 1997 a woman was appointed to the committee for the first time, as a representative of the Israel Bar Association. With the appointment of Attorney Sharon Shenhav to two consecutive terms beginning in 2002, and with the publication by then-Attorney General Manny Mazuz, of clear guidelines for the nomination process, there has been an improvement in the process. Objective professional standards for assessing nominees and an increase in transparency of the process are part of the new guidelines. Although the organization the "ICAR Coalition" has called for the appointment of a woman expert on family law, and a commitment to the appointment of a woman on the nominating committee (Shenhav, 2006), the committee is again comprised exclusively of men. To combat this, appeals have been made to the Supreme Court, and bills have been introduced in the Knesset.

'Agunot' women

An "agunah" (literally "anchored woman") is a woman whose husband is not present (missing or escaped abroad) or who is incapable (not sane, comatose, etc.) and can therefore not award her a divorce. A famous example in modern Israel is Tammy Arad, the wife of the missing navigator Ron Arad.

In order to free an agunah, the rabbinical court is allowed to annul the marriage retroactively. This solution is limited to very specific cases, for instances a flaw in the wedding ceremony, and in the present day, the rabbis seldom use this option. Another possible solution is a law obligating a married soldier to entrust a conditional divorce to the rabbinical courts in the event he does not return. This was practiced in Talmudic times (Tractate Shabbat, 56, 71), and Rabbi Shlomo Goren, Chief Rabbi of the IDF, freed wives of missing soldiers in this way. Rabbi Ovadiah Yosef also used this to free wives of men missing in the Twin Towers disaster of 9/11. Unfortunately, this rule has not been accepted as a general law, from fear that it would contribute to a decline in morale among soldiers.

27 Composition of the nominating committee: the judicial authority: four rabbinical judges from the Jerusalem court, including the two Chief Rabbis; the executive branch: two ministers, including the Minister of Religion, who serves as Chairman of the committee; the legislative branch: two Members of Knesset; and two members of the Bar Association.
Mesuravot get (women refused a divorce)

We have already mentioned that a divorce is legal only if the husband grants one of his own free will and without coercion. This allows the husband to withhold a divorce in order to pressure the wife into granting him concessions such as a waiver of her legal rights to alimony, custody, etc. The wives are then in a position called "mesuravot get" (literally, "women refused a divorce"). The problem of "mesuravot" is an ancient and recognized one in Jewish law, and many rabbis have tried through the centuries to find legal ways to free these women. The situation has been greatly aggravated by modern life and the greater prevalence of divorce on the one hand, and on the other, the establishment of a state rabbinical court system which is primarily haredi in outlook. Mesuravot, particularly younger women who would wish to open a new chapter in life and have children with a new partner, or women to whom the religious tradition is important, find themselves in a limbo between marriage and freedom. They try, year after year, to find relief from this situation in the rabbinical courts, but none is available. The emotional stress from this predicament, along with their failed marriage experience, economic difficulties and single-motherhood can be unbearable.

Magnitude of the phenomena

There is a long-standing disagreement between the rabbinical courts and various activist women's groups as to what actually defines a "mesurevet". The rabbinical courts adhere to the strict definition that she is "a woman whose husband is obligated to grant her a divorce and has not done so within 30 days." By this standard, there are only 200 mesuravot in Israel today. (State Comptroller, 2003: 522). The thousands of women who have been waiting for years for a decree from the courts are ignored. Moreover, the courts use the term "obligated" in their definition. This term is seldom used in divorce decrees. We can see that according to rabbinical records submitted in July 2009, only 6.2% of the divorce decrees in the years 2000-2008 (34,004) have the word "obligated" in the terms of the divorce (Halperin-Kaddari & Edelstein-Zachbach, 2011). The State Comptroller's report of 2003 contends that the courts' definition is extremely narrow, and that according to the Rabbinical Courts Law (Enforcement of Divorce Judgment) – 1995 there is no differentiation between the terms "obligation", "coercion", "order", "duty", or any other term.

As we explore this issue more thoroughly, we see that the courts choose to present only a partial picture of the problem. While the number of open, active appeals for divorce in the years 1995-2003 is low, the key word here is "active". When we include cases opened in the years 1996-2003 and include non-active, unresolved cases, the numbers rise: more than 63% of the cases opened in 2003 and more than half of those in the previous years. These numbers are backed by similar findings in a report submitted by Halperin-Kaddari and Karo for the 2009 Women and Family in Israel Report of the Rackman Center for the Advancement of Women. According to this report, 41,541 couples appealing to the courts for divorce since 1995 were still not divorced in 2008, and out of all these cases, only 5,789 (14.3%) were held to be "active". This practice of reducing divorce cases to "inactive" and thus removing them from the statistics is disturbing. From reports of the courts themselves, we can see that as more time passes, more cases are transferred to the "non-active" category, even if there are sanctions pending due to one partner's refusal to grant the divorce. This practice then reduces the damning statistics on mesuravot, as well as relegating the women involved to a judicial limbo.
In addition, we can see that many files opened by only one side of the couple are left to languish in the courts, which favors the side not interested in the divorce (usually the husband). This allows him the opportunity to extort economic and other benefits from the wife in promise for the divorce. In fact, when we use the definition for mesuravot as proposed by the ICAR Coalition, we reach even more astounding numbers: A special survey undertaken in 2005 by the Geo-Cartography Institute (Knesset, 2005; ICAR & Rackman Center, 2005) estimated that close to 100,000 women in Israel are in this predicament, with no statistically significant differentiation in socio-economic status or areas of residence. The survey found that 40% of the women who were separated and or in the process of divorce at the time of the survey found themselves "agunot"; 16% of these were being extorted by their husbands and 7% of them (12,000 women) were never divorced at all.

Sanctions imposed on refusers

According to Halacha, in a situation where the husband refuses his marital obligations, the rabbinical court must grant a divorce. However, in many cases where the rabbis witness mutual accusations as to who is responsible for the breakdown of the marriage, they tend to remove themselves from the battle and do not declare in favor of either side. They are unwilling to be involved in a halachically disputed decision, where they order the husband to grant a divorce. In many cases, the rabbi prefer to wait for the couple to come to an agreement on their own. However, because it is usually the wife who needs the divorce more than does the husband, she finds herself in a situation where the husband can extort her into surrendering her legal rights to property, alimony, custody, etc. A close look at the divorce files shows that the rabbis have an interest in preserving the family, even in the presence of physical, emotional, or sexual abuse. Sometimes even if the husband admits abusing his wife and/or his children, the rabbis are reluctant to order him to grant the divorce; they want to see the wife return to a situation fraught with danger to herself, both physically and mentally (Englander, 2006).

In the cases where the rabbinical courts do see the need for a divorce, the State has granted wider powers to these courts by granting them civil enforcement powers in the Rabbinical Courts Law (Enforcement of Divorce Judgment) – 1995 (henceforth, the "sanction law"). The law allows the rabbinical courts to order civil sanctions against a husband who refuses to grant a divorce in the form of restraining orders, such as revocation of driver’s license, liens on his bank account, exit delays, incarceration, etc. In these cases, the courts must use one of the following terms, in order of severity: recommendation, order, obligation, or coercion.

Recently, the Rackman Center for the Advancement of Women of Bar-Ilan University has undertaken a study of the level of oversight, enforcement and implementation of family law. The

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28 ICAR defines a mesurevet get as a Jewish woman married to a Jewish man who is faced with one of the following situations:

a. She has been fighting her husband in the courts for a year or longer to obtain a get (Jewish bill of divorce), which her husband refuses to grant.

b. Her husband demands certain provisions or conditions that are outside the standard bounds of the law.

c. The established bet din (Jewish court of law) ruled in her favor and declared that her husband must grant her a divorce, which he refuses to do.

See also the Website: http://www.icar.org.il/
first report ((Halperin-Kaddari & Edelstein-Zachbach, 2011) deals with the "sanction law", in an in-depth study of numerous cases, based on reports from the rabbinical courts themselves. They conclude that the sanction law "has been left as a dead letter in the judicial system, and is not enforced by the rabbinical courts to a degree where it would stand as an incentive to those husbands who refuse to grant a divorce, to do so." (Halperin-Kaddari & Edelstein-Zachbach, 2011). In practice, then, the rabbinical courts do not utilize the sanctions law in any proportion to the number of cases existing. This leads to a vicious cycle, where "the rarity of the use of sanctions sends a discouraging message to agunot, who then do not appeal to the court for sanctions. Thus disuse of the law grows stronger." (Halperin-Kaddari & Edelstein-Zachbach, 2011)

We should mention that the rabbinical courts also have the halachic power to annul the marriage retroactively. This can happen if there was a halachic flaw in the marriage ceremony itself or if the husband has a "significant flaw" – (i.e., "if the woman knew beforehand about the true nature of her husband, she would not have married him"). This option is rarely used these days, although there have been attempts recently to use it as a solution for mesuravot or agunot.

**Imposing unreasonable conditions**

The last few years has seen a worrying tendency on the part of the rabbinical courts to follow a strict (even harsh) ruling of the prevailing halachic leaders which gives legitimacy to almost any conditions imposed by the husband in divorce cases. Usually, these conditions concern financial matters, including the demand by the husband for the case to be transferred from the civil court to the rabbinical court, or for the wife to give up rights previously granted her by the courts in any questions of property. As soon as the husband imposes conditions, he is seen by the court as willing to grant a divorce; the court then does not see fit to obligate him to grant a divorce, and his conditions stand. The tables are turned – now the wife is considered the one who is refusing the divorce – "making herself an agunah", in the words of the court – and the court then pressures the wife into giving in and giving up her rights.

We are seeing an even more distressing trend in Israel. Since 2008, for the first time in Jewish history, there have been reversals of the divorce decree. According to thousands of years of Jewish law, there can be no reversal of a divorce once it is given. And yet, we see the court implementing such an order if the wife refuses to uphold all the conditions imposed by the husband (for instance, if the wife appeals to the court for a change in the financial agreement, for alimony or for child support). This is true even after years, even if the husband has married again. The woman can find herself in the absurd position of being married again to her ex-husband, and actually being an agunah, and having to agree again to her ex-husband's conditions in order to get another divorce.

**Female rabbi 'pleaders'**

The rabbinical courts are run by rabbis who have no knowledge of the modern secular world and who consider women to be second-class citizens. This puts a great burden on the secular women appealing for divorce. However, in the past few years, Orthodox women trained in Jewish law have gained the right to sit on the courts as representatives of the women's side, and are called "rabbinical women's advocates". This position was not achieved easily, but only after the Supreme Court ruled in 1994 (HCJ 6300/93) that parallel institutions for women should be
established to train them in rabbinical law and give them the opportunity to pass the appropriate examinations. Some of these women work independently, but some work for organizations dedicated to aiding agunot and mesuravot. Such organizations include Yad L'isha (Goldberg Legal Aid Center), the Center for Women's Justice, Mavoi Satum (Opening the Dead End for the Agunah), and the Women's Legal Aid Clinic for Family Matters, and they offer legal aid and representation in the courts, usually for free. Although this is a virtual revolution for women's rights, the only academic course for women's advocates was closed two years ago, for lack of applicants; there is now a movement to have the course re-opened.

The presence of women's advocates in the rabbinical courts is important for several reasons. First of all, it adds another female presence to the male dominance in the courtroom. Many women report that before the admission of the women advocates, they were uncomfortable testifying in the court about the physical and sexual abuse they had experienced in the home. The presence of women creates a more caring, understanding atmosphere in the courtroom. Additionally, many of the women's advocates have a deep grasp of the Halacha in matters of divorce and divorce refusal, as well as high motivation to bring the situation to its proper conclusion.

**Segments of the population who's rights to marriage are prevented or restricted**

"Unweddables"

In every society, there are restrictions on who is allowed to marry, the most common being incest taboos. The Jewish religious law adds to these a Cohen and a divorcee, a Cohen and a convert, bastards, a Jew and a non-Jew, partners of the same sex, et al. As a result, there are many couples in Israel who cannot marry, and a list of such people is kept by the Interior Ministry; this list is not accessible to the public. In fact, a person can be defined as a bastard and put on the list without his knowledge (Lubitsch, 2008).

**Religious-less people**

A person who is defined as "without religion", i.e., not affiliated with a known religious group, is forbidden to marry in Israel, as there is no way to marry legally without a religious ceremony. This situation was made more critical beginning in the 1990's, with the immigration of thousands of people from the former Soviet Union. In 2007, more than 5% of the population between the ages of 20-44 defined themselves as without religion (Halperin-Kaddari & Karo, 2009). The Knesset passed the Civil Marriage Law for Those with No Religion – 2010, which attempts to solve the problem of those with no religion, granting them an opportunity to an alternative civil marriage. However, the Center for Religious and State Reform (formerly the Center for Pluralistic Judaism) reports that there are over 300 thousand citizens "with no religion" living in Israel, most of them from the former Soviet Union, and only 10% meet the criteria of the new law, which calls for both partners in the marriage to be with no religion (Liss & Ettinger, 2010).

**Migrant workers**

The limitations of the law apply to foreign workers as well, who are allowed to marry legally only if both partners are members of the same religious group, or if one of the partners is a member of a religious group which allows intermarriage. So we find many foreign workers who live without being married, or who marry in private ceremonies.
The marriage of an Israeli Jewish citizen to a foreign worker is illegal. Two options are available for such a couple: one, to opt for a common-law marriage, which means a wait of seven years, at the end of which he/she receives permanent residence status, or marriage abroad in a civil ceremony, with hopes of arranging the partner's eventual citizenship. In order to comply with national policy limiting the amount of time a foreign worker may stay in the country, the State uses laws governing the rights of the foreign workers to build families in Israel. Thus the State of Israel effectively prevents a couple from marrying. If the state discovers two foreign workers who have a relationship, one of them will lose his/her right to stay and will be deported. In addition, the state does not allow two foreign workers from the same family (mother and daughter, brother and sister) to obtain work permits. Another offensive tactic used until recently involved the "procedure for pregnant foreign workers", aimed at preventing women from becoming pregnant. Under this procedure, cancelled only in April 2011 by the Supreme Court,29 a foreign worker who gives birth in Israel must leave with three months of the birth, and can return only after two years, but without the child. Such objectionable rules are within the purview of the Ministry of the Interior, and are not subject to public scrutiny or parliamentary oversight.

Religious Alternatives to the Standard Rabbinical Marriage

Alternatives Approaches within Modern Orthodox Judaism

The “Zohar” organization was established in 1995 by a group of religious Zionist rabbis in order to bridge the cultural and social gaps between the average secular or traditional Jewish couple and the Orthodox religious establishment. One of the group's goals is to perform a meaningful ceremony for such couples without violating any religious aspects of the Orthodox rabbinical institution. The rabbis of Zohar perform over 3000 marriages a year, while demanding no fee for the service. In the last year, a dispute has arisen between the rabbis of Zohar, the rabbinical establishment, various members of the Knesset, and the Minister of Religion as to just how much latitude should be given to Zohar in their registration of couples. Another organization providing alternative Orthodox religious services is the "Itim Institute", which is headed by a religious Zionist rabbi. The group provides counseling, information, representation and educational services centered around the Jewish life cycle – birth, circumcision, bar-mitzvah, marriage, death; it also gives support to the citizen in his/her dealings with the religious establishment.

The last few years has seen a low-key but significant trend: a feminist/religious marriage ceremony, primarily through the efforts of religious feminists raised in modern Orthodoxy (Koren, 2011). These ceremonies combine a deep understanding of Jewish law and tradition and an abiding commitment to the principle of the equality of the sexes. Sometimes the ceremony is part of a traditional ceremony, done with the consent of the presiding rabbi; these ceremonies includes giving the bride an opportunity to speak, or the presentation by the bride of a ring to the groom.

29In HCJ 11437/05 Kav LaOved v. Interior Ministry, the majority opinion was: “The decision was based on the question of whether the procedure in question withstands the tests of proportionality and reasonableness in administrative law. In particular, the question was whether making the foreign worker choose between leaving Israel with her child before the expiration of the permit, thereby exercising her right to parenthood and family life while waiving her economic expectations related to the completion of the term of her employment in Israel and, alternatively, fulfilling her economic expectations, provided that she returns to Israel alone withstands the test of Israeli administrative law…. The Court’s conclusion was that imposing this choice on the foreign worker does not withstand the test of the rules of reasonableness and proportionality in the exercise of administrative discretion... Regarding the foreign worker, the procedure seriously violates her constitutional right to parenthood and to family life and her economic-proprietorial expectations.”
At times, because these ceremonies are a form of protest against the existing religious-political atmosphere, the couple prefers to perform the marriage ceremony as a private affair, with no formal registration in the rabbinical court. They prefer to live as "common-law" spouses, and some prefer recognition of an additional marriage ceremony performed abroad.

**Conservative or Reform Marriage Ceremonies**

There are in Israel additional Jewish groups, including the Israel Movement for Reform and Progressive Judaism and the Masorti Movement (Conservative Judaism). These groups feel a powerful connection to Judaism and even to Halacha, but they interpret its teachings differently from Orthodox Judaism. World Jewry, particularly in the United States, is largely a part of this more pluralistic and liberal trend. Reform or Conservative weddings, officiated by a Reform or Conservative rabbi recognized by the state, are valid in Israel, as they are considered civil marriages.

However, marriages in Israel performed by Conservative or Reform rabbis are not valid, as they are not recognized by the religious authorities. In spite of this, many couples choose this option as it more clearly reflects their modern and pluralistic world-views. These ceremonies reflect the desire for gender equality and include ordained women rabbis; women who witness the signing of the "Ketubah"; mutual declarations under the chupa by both members of the couple.

All Reform rabbis and some Conservatives ones as well are willing to marry a Cohen and a divorcee, or a Cohen and a convert. Some rabbis perform a "commitment ceremony" for same-sex couples. The Reform and the Masorti movement will not perform a marriage between a Jew and a non-Jew, but they do offer accelerated conversion for the non-Jewish partner.

The formal recommendation of both movements is for a couple to marry abroad and to sign a prenuptial agreement to avoid complications of divorce in Israel.

**Civil arrangements and alternative non-religious marriage ceremonies**

**Civil marriage abroad**

A civil marriage is one performed by a servant of the state (judge, justice of the peace, or city clerk) and provided as a service by the state. In Israel, no such option exists, and couples wishing to avoid a religious ceremony must travel abroad. In these cases, Israel is obligated, as part of the International Convention and the decision of the Supreme Court in Israel (HCJ 143/62) to recognize such marriages in all matters legal and civil, including registry in the Ministry of Interior.

In every year between 2000 and 2009, 10-12% of all Israelis who married did so abroad (Halperin-Kaddari & Karo, 2009). Half of these were marriages between a Jew and a non-Jew. The popular locations for these marriages are Czechoslovakia and Cyprus, which do not demand an additional passport from Israeli citizens.

Even though these marriages are recognized by the State, there are still no non-religious solution for couples so married to divorce. This is an important point, especially for the woman. Civil marriage abroad will not protect a woman from some day possibly becoming an agunah.
Halacha does not recognize civil marriage abroad, causing the antagonism of the Orthodox rabbinical courts to the civil law which does recognize these marriages. A couple who has married abroad and subsequently appeals for divorce must undergo a quick religious ceremony – in order to then divorce. The rabbinical courts have also taken upon themselves to deal in the civil aspects of such marriages – custody and property rights - as well as the conditions imposed by the husbands for divorce. This is in spite of the Supreme Court decision "Marriage in Cyprus" (HCJ 2232/03) which expressly states that a civil court should deal with these matters.

Thus the rabbinical courts force these couples, who specifically did not want anything to do with the religious establishment, to conform to its rulings. Of course, a couple who married abroad because one is Jewish and the other is not, does not have to endure the rabbis, and they must apply to the civil courts.

"Common law" marriages

When couples manage a household together without benefit of a marriage ceremony, they are "cohabiting" and considered "common-law" spouses. While the majority of couples in Israel (96%) are married, the number of such common-law couples has grown by leaps and bounds, doubling in number in the years from 2000 to 2009 (CBS, 2011a). In 2006, for example, 3.2% of households opted not to marry (Halperin-Kaddari & Karo, 2009). There are two groups who choose this option: young couples, who see it as a short-term prelude to marriage (Taub, 2002), or older couples who see it as a long-term arrangement and an alternative to marriage (Hazeh, 2009). In Israel most of the couples are young and without children, and according to the statistics of the organization "New Family", there are today about 100,000 such couples.

In most cases, the civil rights of the partners of such a union are equal to those in a marriage, and are anchored in over 20 different laws, such as the Tenant Protection Act, National Insurance Institute benefits, pension benefits, and workers' rights. The criminal code governing family violence is also in effect. Rights are recognized in the Inheritance Law – 1965 and the Names Law – 1956. The legislation uses this liberal approach in its definition of "family members" in family law, which includes common-law spouses.

The aim of the law is to equalize the status of common-law spouses to that of married partners. For instance, the court decided that cohabitation of at least three months, cut short by the death of one partner, is sufficient for the wife to claim legal inheritance (Tel-Aviv Court, 3630/90). There are still some laws that do not apply to common-law marriages: the couple is not allowed to take out a mortgage if they do not have a child together; income-tax credits, etc.

Private Marriage and Divorce Ceremonies

Any marriage performed in Israel by a person not ordained by the State is considered illegal. However, because of the growing number of such ceremonies, the legal authorities have no way of enforcing this law.

In an effort to prevent this growing trend, a number of laws have been proposed in the Knesset to impose sanctions on these ceremonies, as well as on private divorce proceedings. (Knesset, P/18/1023). In practice, the Supreme Court has presided over a number of cases where couples have appealed for legal recognition of their private marriage ceremonies. The Court has adopted a
policy of looking favorably on these appeals, if they meet three conditions: (1). the couple had exhausted all formal efforts to register through the rabbinical channels; (2). the partners are prevented from marrying each other by \textit{halachic} law (the most important criterion); (3). the couple is properly married by all objective standards.

\textbf{Secular Marriage Ceremonies}

As opposed to the private marriage ceremonies performed by the various religious streams in Israel, which all include some Jewish elements, secular ceremonies have gained in popularity. These ceremonies are influenced by sources outside of \textit{halachic} Judaism, and draw rather from the more humanistic and universal character of secular Israeli society. These ceremonies allow the couple to make a personal statement of their commitment to build a family together, and include personal statements from both members of the couple, as well as from the presiding master of the ceremonies. We should note that the traditional symbols of a Jewish wedding – the \textit{chuppah}, the seven blessings, the \textit{Ketubah}, and the breaking of the glass – are generally a part of these ceremonies, but they take on a different significance within the context of the ceremony. These marriages are not recognized by the State.

\textbf{Marriage by contract}

Couples who opt to live in a "common-law" situation often sign formal documents as a legal basis for such an arrangement, usually in the presence of a lawyer. Often, these signings can take on a ceremonial air. The organization "New Family" is the only one which performs such ceremonies in Israel: the couple signs a "contract for a shared life" in the presence of a lawyer, and receives a "Certificate of Relationship" (a fuller discussion will follow below). This is a totally secular ceremony, and it is so mentioned in the ceremony itself.

\textbf{Agreements and Documents of Shared Relationships and of Dissolution}

The \textbf{Law of Property Relations between Spouses – 1973} (henceforth, Property Relations Law) is intended to regulate financial matters between the couple, both in the course of the marriage, and after its possible dissolution (either through death or divorce). In the absence of a specific financial agreement made and signed by the couple, this law presents a default arrangement for the sharing of property. The law provides for equal division of all property for all couples married after Jan. 1, 1974 (including future pensions, retirement benefits, savings funds, etc.). The exceptions to this rule are benefits accruing to only one side of the couple: inheritance, gifts, property belonging to one partner before the marriage, etc.

In 2008, on the day of the last session of the Knesset, and after a long battle, the ICAR Coalition, with the support of MK Menahem Ben-Sasson and others, succeeded in adding an amendment to this law. According to the terms of this amendment, the law of equal division of property now includes these cases: (a). if there is an unbreachable rift between the couple, or if they have been living apart for at least nine consecutive months; (b) if a year has passed since the divorce appeal without the grant of a final decree. In addition, the time allowed for may be shortened by judicial decree in cases of family violence. In a show of good faith, the appellant must submit a divorce appeal if he/she has not already done so. The law for those married before 1974 and for common-
law spouses is different. Property accumulated during or before the relationship must be equally divided, even if it is registered as owned by only one member of the couple.

Pre-nuptial Agreement

A pre-nuptial agreement allows a couple to arrange their financial affairs: household management and child-raising, etc., during the marriage; property division in the event of divorce. Lawyers and rabbis from all religious streams recommend such an agreement, especially for second marriages and for couples whose wealth is unequal before the marriage, or where the partner/s have children from a previous marriage. The pre-nuptial agreement is also becoming more common even among young couples marrying for the first time.

Arrangement towards a 'shared life'

It is becoming common, both among couples married formally, and "common-law" spouses, to enter into a broader "relationship agreement". In contrast to purely financial agreements, these contracts deal in all aspects of the couple’s life together: medical care, child-raising, family-blending with children from previous marriages, etc. The signing of such an agreement, particularly for common-law spouses, represents a legally-binding commitment to one another and to the relationship.

Pre-nuptial Agreement in Prevention of Sarvanut

This is an agreement signed upon marriage, when love and mutual respect abound, to ensure that if the marriage does break up, the dissolution will be dignified and relatively painless. It also acts as a preventive measure, almost as a dose of prophylactic medicine, encouraging the couple at the beginning of their life together to development channels of communication and mutual respect. It can act as a kind of modern ketubah, protecting each partner from exploitation and blackmail, especially the (ordinarily) weaker member of the partnership – the woman.

The financial obligations detailed in the agreement can act as a deterrent to blackmail and extortion and facilitate the granting of a speedy divorce. This is done by defining a specific period of time, from the beginning of the breakdown of the marriage, after which, if a divorce has not been granted, the refusing party must pay "increased alimony" (sums which run from $1500 a month to 50% of shared property, whichever is greater). It is to be hoped that this clause will spur the recalcitrant partner to speed up the process and grant the divorce, while reducing the dependency on the court to pressure the partner.

The problem with this type of agreement is that in the eyes of many rabbinical court judges, it is a "mock divorce", which is halachically unacceptable. A few cases have already been tried in court and have stood up to legal scrutiny. The process is only at its beginning, so it is hard to determine definitively its legal and halachic validity.

A survey of the subject has found that while 80% of the population is aware of the problem of sarvanut, only 11% are aware of this particular solution. On the other hand, the survey uncovered an encouraging fact: when the respondents were informed, 75% of them expressed a willingness to sign such an agreement (78% women and 69% men) (Kolech, 2010).
Validity of the Agreements

In order to give validity to these agreements there must be authorization from various official bodies, according to the Inheritance Law. If the agreement was signed in the course of the marriage, family law court or rabbinical court must give its authorization. If it was signed before the marriage, there are many authorization procedures, including a notary public’s approval. Common-law arrangements, on the other hand, do not need legal approval for signing such a document.

Relationship Certificates

The New Family organization has issued a special "relationship certificate" since 2007. The holder of such a document certifies that he/she lives together with his/her partner under one roof and together they manage a household. It is enough for a couple to attest to such a relationship, without need of a formal religious or civil ceremony, in order to receive such a certificate. This is a legally binding document for recognition of a relationship, and the couple is seen as a common-law couple, even though their identity cards list them as "single".

New Paradigms of Families

Women "pay the price" in housework and other household issues, and this only increases after children are born (Baxter, Hewitt & Haynes, 2008). In addition, men have been found to derive more satisfaction from their relationships than women (Fowers, 1991). With parenthood comes a decrease in partner satisfaction from the marriage (Twenge, Campbell & Foster, 2003). On the other hand, because women have a more vested interest in the success of the relationship, they will report feelings of satisfaction and security in the marriage even when the work load is far from equal (Wilkie, Ferree & Ratcliff, 1998).

It seems logical to conclude that, as women become more educated and independent, they will opt for alternative forms of marriage in order to keep their identities and independence. However, studies have shown that these alternative forms of relationships often repeat the gender inequality of traditional relationships (Hazeh, 2009). In practice, even with the rise of alternative arrangements, women continue to be the more invested partner (Benjamin, 1998; Kami-Shaltiel, 2004; Shachar & Shefer, 2009).

Single-Parent Families

In the 2009 CBS survey, only 31% of Israelis felt that single-parent families were capable of managing by themselves, with women more positive about this than men (CBS, 2009b). In that

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30 By law, the marriage registrar must register such a marriage if both parties understood and agree willingly to the contract. This method does not require additional fees, and is included in the original fee paid upon opening a marriage file in the Rabbanut. However, it is a known fact that some of the registrars in some of the religious councils do not register such marriages, because of their personal religious and political beliefs. A couple using this method should confirm that their marriage is notarized by a notary public.
year, there were 104,500 single-parent families in Israel, with 182,1000 children under age 17. The largest concentration of such families lived in the southern part of the country (8.6%). Single-parent families are about 6% of all families, similar to the situation in Italy, Spain, Ireland and Finland (6-8%), but substantially lower than in Germany (16%), the US (14%), the Netherlands (13%), Norway (10%) and Canada (10%). In Israel, 91% of these families are headed by the mother. In half of the families (57%), the parent is divorced, single (15%, almost all of them Jewish women), widowed (13%), or separated (about 16%). The last decade has seen a dramatic rise (80%) in the number of single women with children under 17 (from 8,400 in 2000 to 15,100 in 2009).

76.3% of the single parents are working mothers, as opposed to 68.3% of working mothers among married women. There are more unemployed single mothers than unemployed married mothers: 9.8% as opposed to just 4.9% (CBS, 2011b). It has been found that as the children at home get older, so does the rate of employment of the mothers; this is true for single as well as married mothers.

The Single Parent Families Law – 1992 provides special benefits for single-parent families, whether the parent is the father or the mother. The law applies to a single parent, who is a citizen of Israel who has care of a child or children, under the following conditions: the parent is not married (single, divorced, or widowed), with no common-law spouse; married, but separated for at least two consecutive years and in the process of divorce, with no common-law spouse; an agunah mother, with no common-law spouse; a married new immigrant who is in Israel more than a year whose partner has not immigrated; a married mother separated from her husband who has spent at least 90 days in a battered-women's shelter and has been in the process of divorce for at least six months. If there is a clear danger to the woman or to her children for doing so, she is relieved of the obligation to open divorce proceedings, and she is entitled to the status of single mother.

Same-sex Families

Formal Recognition of Same-Sex Relationships or Marriages

Since the law of Israel follows Halacha, there is of course no legal recognition of same-sex marriage. Yet, with the rise of same-sex unions in recent years, there has been a greater recognition of such couples as common-law spouses, with consequent advantages to their legal status. The Danilovich case of 1994 (HCJ 721/94), in which the Supreme Court gave legal status to a same-sex couple for purposes of economic benefits, was the first victory in the battle of the LGBT community for recognition of their relationships. A few years after this landmark decision, a Beer-Sheva family court gave legal status to a relationship agreement between lesbian partners (Beer-Sheva Family Court, 8511/01). These verdicts have become quite routine and constitute a de facto recognition of same-sex relationships. In 2006, the Supreme Court even directed the

31 It is interesting to note that in addition to the expected opposition of Orthodox rabbis, Conservative (Masorti) and Reform rabbis are divided in their opinion. Each rabbi is free to decide for him/herself whether to perform ceremonies for same-sex couples.

32 The Court ruled that the employing company (El-Al) is obligated to recognize their employee’s partner and to grant him the same rights as a common-law spouse would receive.
We will now present a survey of the various financial and legal areas, including labor relations and welfare benefits, in which the courts have legally recognized same-sex unions.

The inheritance law was found to apply to same-sex partners in a 2004 case, when a Nazareth court ruled that a gay man could inherit his deceased partner’s property. The court decreed that "man and woman" could be interpreted as "man and man" or "woman and woman" (3245/03). Same-sex partners may also be eligible for mortgage loans; the National Insurance Institute has also recognized the rights of the partners in same-sex unions. In fact, in 2009, the Institute published new guidelines, including payment of maternity benefits to gay men using a surrogate from abroad in order to have a child.

Pension benefits have also been granted to same-sex partners. The Regional Labor Court of Tel-Aviv ruled in favor of a gay man’s right to receive survivor’s benefits from the National Insurance Institute, stating that a gay couple are "partners" and "common-law spouses" (Tel-Aviv 3816/01). A similar court in Haifa found that lesbian also constituted common-law spouses. Recognition of same-sex partnerships also exist for the purpose of benefits from the IDF (HCJ 5398/96).

**Recognition of Parental Rights for LGBT**

In a landmark decision in 2005 in the case of Yarus-Hakkak, the Supreme Court awarded the right of adopting one lesbian partner's biological children to her partner. This precedent has become the standard ruling for all similar cases, and in 2008, the Interior Ministry began issuing standard forms for this type of adoption, whether involving two men or two women.

Many homosexual couples have begun using surrogate women abroad in order to bring children into the world. This issue is at the heart of the battle of the LGBT community to enable surrogacy in Israel. A committee has been formed to investigate the feasibility of such an option, and a previous appeal to the Supreme Court was cancelled. The committee's recommendations have yet to be published.

**Paradigms of same-sex relationships, families and parenting**

It is beyond dispute that the gay community in Israel has seen much progress in its battle for recognition of same-sex marriage and parenthood. However, we must acknowledge the passionate dispute within the LGBT community concerning these advances. Those opposed to legal recognition argue that the community is conforming itself to the religious and political establishment, and inviting greater supervision and control over their private lives. In addition, as gay Attorney Eyal Gross (Gross 2001) has pointed out, the model for gay marriage is the heterosexual marriage: joint household, economic dependence, long-term commitment, monogamy. By accepting the right of the state to recognize gay marriage, the community accepts these parameters as the "right" or "normal" framework of a relationship. (Presser, 2011).

In practice, gay and lesbian relationships and families can follow any number of models, some similar to the heterosexual ideal of father, mother, and children (which of course is actually changing in the heterosexual culture), and some quite different. For instance, we can find long-
term or short-term relationships; monogamous or not; under one roof or two; with different degrees of economic co-operation; with children or without; with children from previous relationships, where the biological father or the previous lesbian partner is still in contact with the children. Kath Weston, in 1991, coined the phrase "chosen family", with members who consciously incorporate symbolic demonstrations of love, shared history, material or emotional assistance, and other signs of enduring solidarity, rather than a group based on blood or kinship ties.

Choosing a Name after Marriage

Until 1996, the Names Law – 1956 reflected the prevailing attitude that a woman's marital status should be apparent by her name. (Kamir 1997). Accordingly, the woman was expected to adopt her husband's name after marriage. On the other hand, women living with a partner without benefit of marriage could not take their partner's name. A number of appeals to the Supreme Court has resulted in the recognized right of the woman (or the man) to decide on his/her surname. This means that a woman can decide to keep her original surname after marriage, to change to her husband's surname, or to combine both surnames, creating a new surname for all members of the family. In practice, the Interior Ministry has kept to the old rule and automatically changes the woman's surname after marriage (Ombudsman, 2000). Woman who wish to exercise their legal options are advised to expressly inform the registry of their decision.

The law further states that after the dissolution of a marriage, each partner reverts to his/her former surname, with the children receiving the father's surname. If the parents wish to give the child a different surname, they are advised to do so immediately after the birth; otherwise, they must make a special visit to the court requesting the change. A child born to a single mother will receive her surname, unless the mother requests the surname of the biological father, who has assumed paternity of the child. The Supreme Court has ruled that the Interior Ministry must grant a request from a common-law wife to change her surname to her partner's.

In practice, and despite these liberal and forward-looking rulings, it seems that most women still choose the traditional option of taking the husband's surname and passing it on to her children, while the man makes no change at all. The only published statistics on this subject show that barely 1% of all Jewish women married in Israel since the passage of the amendment (1996) have kept their own surname, and 17% at most have adopted a double surname, at least on paper (Rom & Benjamin, 2011). A study highlights the various concerns of Israeli women and their struggle with the issue; some of these are connected to the centrality of motherhood and marriage in Israeli society; the ethnic, social and national categorization afforded by analysis of surnames; reluctance to commit to a feminist agenda, etc.

33 Appeals of Efrat, Shtend, Zemulun, Schich were granted decisions by the Supreme Court. For details, see Kamir, 1999 and its updated version, Kamir, 2007, pp. 251-282.
Solutions to the problem of sarvanut and to the Supremacy of the Religious Courts

Halachic solutions

A preventive-educational measure to prevent sarvanut, as previously noted, is the pre-nuptial agreement. Other solutions acceptable to Halacha, although frowned upon by the courts rabbis, is Annulment or Mistaken Transaction (Hacohen, 2004), implemented especially in the Agunot Court of the Rackman Center. A solution which has been used recently by some couples is Conditional Marriage. This involves a document stating that the marriage rests on a number of conditions: appointment of a substitute for the husband in the case of divorce proceedings, or annulment in the case of prolonged separation or desertion. There are several rabbis who offer to perform Halachic Marriages without Kiddushin, which then do not require a formal get (divorce), and do not create a situation where the woman is considered a "wife" and therefore may have children with a man not her partner without danger of bearing bastards.

Legal and legislative solutions

The 17th and 18th Knessets saw an upsurge in the numbers of proposed bills in this area. The Amendment to the Spouse Property Law – 2008, which allows division of property between spouses before a divorce is granted, and the Religious Courts Law (Support Units) – 2011, establishing auxiliary units similar to those already existing in civil courts, to provide legal assistance, mediation, psychological counseling and support to family members involved in the proceedings of the religious courts. Additionally, a number of proposed bills on the agenda of the Ministerial Committee for Legislation are intended to increase enforcement and implementation of the sanctions imposed by the courts on husbands who refuse to grant divorce (PB P/18/3095 and PB P/18/2303), as well as a proposed bill for solving the problem of the "race to authorities" (PB P/18/2525). 34

On the other hand, there were numerous private bills, as well as one supported by the government, 35 whose purpose was to actually strengthen and widen the legal authority of the rabbinical courts (Freiberg, 2007). For instance, a bill was proposed to allow rabbinical courts to adjudicate in civil matters (even those not applying to divorce or family status) with the consent of both disputing parties. Another bill proposed that any future appeals brought by one divorced partner concerning the divorce decree be handled in rabbinical court.

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34 The bill states that if one of the parties files for divorce in the rabbinical court, the other party is permitted to file with the civil court within 30 days, which will then have exclusive jurisdiction in all related matters of the divorce.
35 The Law of Rabbinical Courts Jurisdiction (Marriage and Divorce) (Jurisdiction by Agreement Amendment) - 2007 was approved by the Ministerial Committee, but subsequently underwent significant textual modifications in light of the vigorous opposition of women’s groups and of the Bar Association. In spite of this, a newly-worded and broader amendment was passed by the Ministerial Committee for Law in Feb. 2008, granting the rabbinical courts, for the first time in the history of the State, full jurisdiction in all civil matters relating to divorce, including labor relations issues. Those opposed to this amendment included members of the opposition, as well as the-then Minister of Justice, Daniel Friedman. The amendment is now in the process of final discussion and modification. In addition, religious and haredi Knesset members continue to propose more bills giving the religious courts broader jurisdiction (PB P/18/1388, PB P/18/1389, PB P/18/2467).
Every few years, an attempt is made in the Knesset to legalize civil and non-Orthodox marriages. Recently, these legislative bids were proposed in July, 2009, and again in July, 2011. The bills allowed a religious option, empowering the couple to choose among the various streams of Judaism, and a parallel civil option. A number of social activist organizations banded together to promote this effort under the name “The Forum for Free Choice in Marriage”. The Forum has two main goals: legal recognition of civil or non-Orthodox marriage, and choice in the manner of divorce.

In March 2010, the Civil Marriage Law for those without Religion was passed. This law allows for an alliance relationship, an agreement drawn up between spouses who are of no recognized religion and are therefore forbidden to marry in Israel. However, many critics of the law, including even its sponsors, claim that the enthusiasm surrounding this bill, especially from the press, is exaggerated, since the bill only partially solves the legal problems of those with no religion. Not only does the bill not solve the problem of all those who would marry civilly (whether because of matters of conscience or because they are halachically forbidden to marry), but even in those few cases where the law does apply, the couple must both be in the category of individuals without religion and must undergo a procedure decreeing them “non-Jews” in a rabbinical court (Section 5(b) of the Law) before they are allowed a civil ceremony. In reality, this bill, under the guise of a liberal, modernizing act, actually strengthens the authority and legal reach of the rabbinical courts, which is now allowed to determine the fate of couples who were previously not in their jurisdiction.

A legal tool that has come into use recently is the Tort Claim between Spouses, which was first used by Attorney Susan Weiss of the Center for Women’s Justice. A woman can bring claims for financial restitution in family court against her husband or even his family members if he refuses to give her a divorce. This procedure has been found to be most effective in enabling a woman to find some measure of compensation for her years of suffering, as well as an incentive for speeding up the divorce procedure. The rabbinical courts are suspicious, and have therefore ruled that a divorce will not be granted in cases where a tort claim has been made in civil court, with the argument that such a divorce could be considered a “mock divorce”. In spite of this, the rabbinical courts have granted divorces in such cases, and according to the internal statistics of the Center for Women’s Justice, in the years 2000-2009, 52% of the women who went to claims court received their divorces within a year and a half (after having been mesuravot for many years).

Political Solutions
An appropriate political approach is the fight to nominate suitable judges for the rabbinical courts. In addition, in light of the severe managerial defects of the system and the inherent gender bias, a woman has for the first time been proposed as a candidate for managing director of the rabbinical

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36 PB P/18/3245 of 2011 was defeated in its first reading in the Knesset, while a number of amendments merged together by MK Nitzan Horowitz et al. to form the Proposed Marriage and Divorce Act – 2009 (P/236), has reached the Ministerial Committee, where it met opposition.

37 The Forum is comprised of the following groups (as of Sept. 2011): The Association for Civil Rights in Israel, Na’amat, The Israel Religious Action Center, New Family, Shatil (founded by the New Israel Fund), The Israel Women’s Network, Wizo, Kayan-Feminist Organization, The Forum of Gay and Lesbian Organizations, the Granit Association, the Israeli Ceremony Foundation, Havaya, Tmura, Mavoı Satum, Kolech. The Forum’s site: www.freemarriage.org.il

38 Originally, the relationship agreement was intended “to allow couple who are not able or do not wish to perform a religious ceremony to join together and be registered as a couple. This registration would have wide-reaching legal status, giving the couple all rights afforded to a married couple (Lifshitz, 2010).
Two appeals were filed to the Supreme Court in 2010 and again in 2011 supporting this candidacy, as well as a number of bills in the Knesset proposing that the gender discrimination in judicial appointments is in violation of the Basic Law: Freedom of Occupation as well as the principle of gender equality in the Basic Law: Human Dignity and Liberty. The appellants also argued that an experienced woman with the appropriate background and training could succeed in the job, which is primarily managerial rather than rabbinical-judicial.

The crisis between the religious Zionist and the haredi judges which erupted in 2008 as a result of a conflict over conversion has contributed to the growing popularity of "alternative courts" (also known as "social courts") (Ben-Harush, 2007). The final jurisdiction and structure of these courts are not yet definitive, but they will most probably operate under the Arbitration Act – 1968, and appeals to these courts will be on a voluntary basis. As of now, it seems that these courts will also rule by Halacha, but only rabbis from the religious Zionist sector, rather than haredi rabbis, will serve on them. It is to be hoped that these judges will attempt to end the incidence of sarvanut and agunot as much as possible. Women’s organizations in the field are pleased with this development, while expressing disappointment that the plans for these courts do not include appointment of women judges, a requirement of judicial training for the judges, an appeals procedure, etc.
Marriage Laws in the Arab Sector

Marriage Laws
The Arab population in Israel is represented by various religions: Muslim, Christian, and Druze. The Christian community can be divided in two: the Roman Catholic, the Greek Catholic, Maronite, and the Latin Catholic, all parts of the Western Church headed by the Pope in Rome. The Eastern Church includes the Greek and Russian Orthodox churches. The Muslim community includes a number of different sects, but the Hanafi School is the prevalent one in Israel. Each recognized sect has its own courts. The Sharia courts have been dealing with personal status issues since the days of the Ottoman Empire; church courts dealing with these issues were first established during the British Mandate; the Druze courts were established by the Druze Religious Courts Law – 1962.

Marriage according to Islam is a proper contract, with legal requirements including offer and acceptance, witnesses and dowry payments. The marriage registry is strictly bureaucratic. Within the Christian community, a priest performs the religious marriage ceremony, and is the only option for Christian couples. The marriage registry plays an important function within the community and gives formal recognition to the marriage. The State leaves each community to act according to its religious beliefs, and uses its authority only in criminal cases of sanctions.

Child marriage
The State determined in the Marriage Age Law – 1951 that the legal minimum age for marriage is 17, for both sexes. Section 2 of the law provides for a two-year maximum sentence or a fine for those marrying before this age, as well as for the parents and anyone who aided or abetted the marriage. However, these marriages are religiously valid. Druze religious law allows for marriage of a 16-year-old male or a 15-year-old female with permission from the Khadi and the father. The Orthodox Christian Church allows marriage for a 14-year-old boy or a 12-year-old girl; the Catholic Church allows marriage for a 16-year-old boy or a 14-year-old girl. The Ottoman Family Law which governs the Arab community in Israel allows for a boy to marry at 18, and a girl at 17; younger persons can marry with special permission from the Khadi. However, the civil law is the ultimate authority in this matter, with exceptions detailed in Section 5 of the Marriage Age Law (in cases of pregnancy or birth, but only with the agreement of both parties, or in special cases at age 16). The court authorized to approve marriages in such cases is civil family court, with permission to file for this approval given only to the prospective bride or groom or their parents or guardians. There are, however, many violations of this law, which is not enforced by the families or the religious figures of the community. In the years 2004-2005, not one complaint was filed for violation of the Marriage Age Law, and up to the end of 2007, no-one was arrested or jailed for violation (Halperin-Kaddari & Karo, 2007).

The Statistical Annual of the National Council for the Child includes statistics showing that in the years 2000-2008, only 46 complaints were lodged under the Marriage Age Law, only half were acted upon, and ultimately only three indictments were filed against those guilty of aiding in the illegal marriage of a minor. A study of the records shows that no clear guidelines were established for these special cases, and every case was judged on its own merits. Following are a number of reasons for rejection: religious customs of the particular sect, harsh financial situation of the
parents, sexual relations between the couple, 39 preparations in place for the wedding, illness of the groom's mother. 40 The Supreme Court has ruled that the primary concern must be the girl's welfare when the civil court judges cases of a minor girl's marriage. 41

A study undertaken in 2000 shows that 26% of family violence cases concerned a married girl under the age of 18. Most of these marriages end in divorce, either because of financial hardship or physical violence (May-Ami, 2004); many times the wife is pregnant, which in young girls can be physically dangerous and lead even to death.

**Polygamy**

There are opinions within Sharia law which give a man the right to have up to four wives at any one time. 42 However, Section 176 of the **Penal Code – 1977** makes polygamy a crime carrying up to five years imprisonment. There are few cases tried in Israel for polygamy, since the marriages are not registered and the crime is hard to uncover. The courts have shown leniency in cases that have been tried, with the average penalty a six-month stay in jail. The phenomenon is most common among the Bedouin in the south of the country, where most researchers put the figure of polygamous marriages at 35% of all Bedouin families in the area. Bedouin women are ruled by tribal laws and do not enjoy the civil and personal rights of the Islamic Sharia. The state, for its part, does not enforce civil laws in aid of these women.

Polygamy is a cause of illegal human trafficking for marriage purposes. Many of the women in polygamous marriages have been brought illegally to Israel from the Palestinian Authority or from Jordan. They are cut off from their own families and become completely dependent on their husbands, since they have no legal standing in the country (Loten, 2006). They suffer from depression and anxiety, and a high rate of hospitalization for psychiatric problems. They experience emotional and physical abuse at a far greater rate than women in monogamous marriages (Al-Krenawi and Slonim-Nevo, 2005).

**Divorce Law**

Sharia gives the husband the right to divorce his wife, when he likes and any way he likes, with no consideration for his wife. The wife, on her part, has no power to oppose. The husband also has the right to return his wife to the marriage during the three-month waiting-period after the divorce, during which period the wife is forbidden to remarry. This is to ensure that the wife is not pregnant; if she is, the divorce is not valid. The husband is obligated to financially support his wife during this period.

However, there is a legal possibility for the woman to leave her husband, if the husband, at the time of the marriage, has given her the legal power to do so, and if this agreement is written into the legal marriage contract. The Sharia court also has the right to allow the woman a divorce in cases of the husband's prolonged absence, irreconcilable differences, etc.

A common reason for divorce is what is known as a severe crisis in the marriage, calling for mediation. The court appoints an arbitrator for each side, who attempt to bring the couple together. If they fail, the arbitrators recommend a divorce, assign guilt for the breakdown of the marriage, and provide for payment to the wife if the husband is the guilty party. The court can

39 CA 501/81 Legal Advisor to the Government v. Doe; ISRSC(38) 430 4 (Justice Barak).
42 There is a branch of Islam which rejects this interpretation, and does not allow polygamy.
then accept the recommendations of the mediators, even if the husband is opposed, and can also 
decide as to the amount to be paid to the wife. Many men use this mediation option, even though 
they do have the right to a one-sided divorce, as a way of avoiding indictment under Section 118 
of the Penal Code for divorcing a wife against her will, which carries a maximum sentence of five 
years in jail.43

The Druze divorce law is identical to the Islamic law, except for one detail: a Druze man cannot 
under any circumstances return his wife to the marriage after he has divorced her. A woman may 
receive a divorce for various reasons, including irreconcilable differences, even if the husband 
disagrees. This eliminates mesuravot or agunot in the Druze community.

The Christian sects have several different divorce procedures. The Roman Catholic and the Latin 
Catholic churches completely forbid divorce. There is a possibility of separation, but the couple is 
forever considered married, barring each partner from remarrying. Annulment is possible if there 
was no sexual intercourse between the partners.

The Orthodox Church does allow divorce, and as a result, many Roman or Latin Catholic couples 
convert to the Orthodox Church.

Civil and Religious Courts

Division of authority

The various religious courts are authorized to adjudicate in matters of personal status for the 
members of their own religious sect, as defined in Section 51 of the Orders in Council for the 
British Mandate in Palestine44. Today, these courts have rights to judge in matters of marriage and 
divorce exclusively, while others issues, such as child custody, alimony, division of property, 
inheritance, etc. have equal standing in the civil courts. These parallel rules of authority differ for 
each religious sect, but the right to adjudicate is given to the first court receiving the claim.

Family Court

Family courts, under the aegis of civil court, have been established in Israel since Sept. 1995. They 
are authorized to rule in cases of personal status, except for marriage and divorce.

An amendment was enacted in Nov. 2001 permitting Muslim and Christian women to apply to the 
family courts45. Before the amendment, these women were allowed to apply only to the religious 
courts in questions of child support and alimony. A coalition of women's support groups and 
human rights groups brought this amendment into law in order to improve the status of Arab 
women.

Child support and alimony

The Family Law Amendment (Maintenance) – 1959 determined that religious law would govern 
child support and alimony (Section 2(a) and Section 3(a)), irrelevant to the type of court involved. 
This means, in effect, that even the civil family court deciding a matter of child support or alimony 
must adhere to religious law. The woman has the legal right to decide in which court she wants 
the matter to be judged.

43 This accounts for the absence of mesuravot or agunot among Muslim women.
44 These are laws dating from the British Mandate, which the State of Israel has adopted as well, primarily in the area of the 
jurisdiction of religious courts.
45 Section 3(b1) of the Family Court Law – 1995.
Religious law, whether Sharia, Christian, or Druze, which governs the status of women, tends to be conservative. Gender inequality is inherent, as the religious law perpetuates the patriarchal division of the sexes, demanding from the woman obedience to the husband as a condition for his financial support. The demand for obedience focuses on the woman’s obligation to remain in the marital home, unless there is a danger of physical harm to her from her husband. In that case, the law of obedience is not valid, and the woman has the right to demand financial support even if she is not living in the marital home. Child support continues for all minor children. The wife has a right to apply either to a religious or civil court for alimony.

**Division of property**
The two types of court enjoy parallel authority in this area. A Muslim husband can apply in the religious court first, and thus gain the upper hand. Druze and Christian women are bound to accept the authority of the religious court in this matter. The civil law is the ultimate authority, according to Section 13(b) of the *Law of Property Relations between Spouses – 1973*. The Sharia court, in ruling on the division of property must adhere to the civil law. The Supreme Court also ruled in this spirit in the case Bavli v. Rabbinical Court 1000/92.\(^{46}\) In practice, however, the religious courts do not always conform to the law.

**Custody over minors**
This issue is also under the parallel jurisdictions of religious and civil courts. Here as well, the husband can rush to judgment in the religious court before the wife gets to the civil court. Here as well the Supreme Court has ruled in a number of cases that the religious courts must conform to civil law, which makes the child’s welfare the top priority.\(^{47}\) The Sharia rules that a woman who remarries may lose custody rights and that in any case, when a son reaches the age of nine and a daughter is seven, the religious court favors custody of the father.

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\(^{46}\) HCJ 1000/92 *Eve Bavli v. Rabbinical Court – Jerusalem* IsrSC 48(2) 221(given July 2, 1994).

\(^{47}\) HCJ 9750/05 *Doe v. Sharia Court of Appeal*